

3600. By Mr. DAVEY: Petition of 70 residents of Ravenna, Ohio, protesting against the proposed compulsory Sunday observance bill (S. 3218) or any other religious legislation which may be pending in Congress; to the Committee on the District of Columbia.

3601. By Mr. KETCHAM: Petition of citizens of Allegan, protesting against Senate bill 3218, a bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

3602. By Mr. LINDSAY: Petition of the Jewish Veterans of the Wars of the Republic, 15 Park Row, New York, N. Y., that the joint resolution be passed which has been introduced in Congress providing for admission for approximately 8,000 immigrants now stranded at European ports, these having passports duly viséed by the United States consuls prior to last July and being prevented from sailing because of exhaustion of quotas and new immigration law; this petition is presented in effort to undo grave injustice and to favor humanitarian measures; to the Committee on Immigration and Naturalization.

3603. Also, petition of John H. McCandless, secretary courts committee, organized to promote the interest of the interior criminal courts, headquarters 69 Schermerhorn Street, Brooklyn, N. Y., care Brooklyn Bureau of Charities, that House bill 5195, by Congressman GRAHAM, be accorded favorable consideration by reason of the great good to be derived from the extending of the probation system to the Federal courts, which do not now have the power of placing offenders on probation. There has been ample opportunity to observe the workings of probation, especially for first offenders, and the courts committee of which Mr. McCandless is secretary are convinced that it is highly desirable that the Federal courts should have this same power. When consideration is given to the high type of Federal judges, we believe that we can count upon a wise choice of the cases to be placed on probation, and that the appointment of well-qualified probation officers to administer the system could be safely counted upon. The Brooklyn courts committee earnestly petitions support for this measure when it comes up for passage; to the Committee on the Judiciary.

3604. By Mr. McDUFFIE: Petition of 40 residents of Mobile, Ala., opposing the proposed Sunday observance law (S. 3218); to the Committee on the District of Columbia.

3605. By Mr. WELLER: Petition of the Rotary Club, of New York, urging that subtreasury building in New York City be converted into a national memorial and historic headquarters and to provide a permanent museum to contain specimens of all the coinage from the outset of this country; to the Committee on Public Buildings and Grounds.

## SENATE

FRIDAY, January 30, 1925

(Legislative day of Monday, January 26, 1295)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ball	Ferris	Kendrick	Reed, Mo.
Bayard	Fess	Keyes	Reed, Pa.
Bingham	Fletcher	King	Sheppard
Borah	Frazier	McKellar	Shields
Brookhart	George	McKinley	Shipstead
Broussard	Gerry	McLean	Shortridge
Bruce	Glass	McNary	Simmons
Butler	Gooding	Mayfield	Smoot
Cameron	Greene	Means	Spencer
Capper	Hale	Metcalf	Stanley
Caraway	Harreld	Moses	Sterling
Copeland	Harris	Neely	Swanson
Couzens	Harrison	Norbeck	Trammell
Cummins	Heflin	Norris	Wadsworth
Curtis	Howell	Oddie	Walsh, Mass.
Dale	Johnson, Calif.	Overman	Warren
Dial	Johnson, Minn.	Pepper	Watson
Dill	Jones, N. Mex.	Philpotts	Wheeler
Fernald	Jones, Wash.	Halston	Willis

The PRESIDENT pro tempore. Seventy-six Senators have answered to the roll call. There is a quorum present.

### MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Farrell, one of its clerks, announced that the Speaker of the House had affixed his signature to the enrolled bill (S. 1975) for the relief of the Commercial Union Assurance Co. (Ltd.), Federal Insurance Co., American and Foreign Marine Insurance Co., Queen Insurance Co. of America, Fireman's Fund Insur-

ance Co., United States Lloyds, and the St. Paul Fire & Marine Insurance Co., and it was thereupon signed by the President pro tempore.

### PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate a communication from the general organizer, United Brotherhood of Carpenters and Joiners of America (Federacion Libre), of Santurce, Porto Rico, relative to industrial conditions in Porto Rico and transmitting certain exhibits in regard to the wages of carpenters, joiners, and auxiliaries in the island of Porto Rico, which was referred to the Committee on Territories and Insular Possessions.

Mr. FRAZIER presented the memorial of Henry Schrenk and 32 other citizens of Logan and McIntosh Counties, in the State of North Dakota, remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a resolution adopted by the Home Economic Club, of Ryder, N. Dak., favoring the adoption of the child labor amendment to the Constitution, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a resolution adopted by the Kansas State Board of Agriculture, favoring the permanent improvement of the Missouri River to Kansas City, Mo., which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Galena, Kans., remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

### REPORTS OF COMMITTEES

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them severally without amendment:

H. R. 7821. An act to convey to the city of Astoria, Oreg., a certain strip of land in said city;

H. R. 7911. An act to authorize the Secretary of the Treasury to sell the appraisers' stores property in Providence, R. I.; and

H. R. 11501. An act for the exchange of land in El Dorado, Ark.

Mr. COPELAND, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3676. An act for the relief of Harry Newton (Rept. No. 939); and

H. R. 1717. An act authorizing the payment of an amount equal to six months' pay to Joseph J. Martin (Rept. No. 940).

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (H. R. 9535) authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes, reported it with an amendment and submitted a report (No. 941) thereon.

Mr. CARAWAY, from the Committee on Claims, to which was referred the bill (H. R. 8329) for the relief of Albert S. Matlock, reported it without amendment and submitted a report (No. 942) thereon.

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment, and submitted reports thereon:

H. R. 5752. An act for the relief of George A. Petrie (Rept. No. 943);

H. R. 8727. An act for the relief of Roger Sherman Hoar (Rept. No. 944); and

H. R. 8741. An act for the relief of Flora M. Herrick (Rept. No. 945).

Mr. METCALF, from the Committee on Naval Affairs, to which was referred the bill (H. R. 6436) for the relief of Isidor Steger, reported it without amendment and submitted a report (No. 946) thereon.

### CHANGES OF REFERENCE

Mr. PEPPER, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 164) to provide payment for additional work on the Grant Memorial, Washington, D. C., moved that that committee be discharged from its further consideration and that the joint resolution be referred to the Committee on Claims, which was agreed to.

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 917) for the relief of Ernest F. Church, formerly boatswain, United States Naval Reserve,



moved that that committee be discharged from its further consideration and that the bill be referred to the Committee on Claims, which was agreed to.

#### ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that January 30, 1925, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 51. An act for the relief of the owner of the schooner *Itasca*;

S. 703. An act making an adjustment of certain accounts between the United States and the District of Columbia;

S. 1179. An act to authorize the Commissioners of the District of Columbia to close certain streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening, in accordance with the highway plan of other streets, roads, or highways in the District of Columbia, and for other purposes;

S. 1199. An act authorizing the appointment of William Schuyler Woodruff as an Infantry officer, United States Army;

S. 1665. An act to provide for the payment of one-half the cost of the construction of a bridge across the San Juan River, N. Mex.;

S. 2148. An act to empower certain officers, agents, or employees of the Department of Agriculture to administer and take oaths, affirmations, and affidavits in certain cases, and for other purposes; and

S. J. Res. 107. Joint resolution directing the Interstate Commerce Commission to take action relative to adjustments in the rate structure of common carriers subject to the interstate commerce act, and the fixing of rates and charges.

#### BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

A bill (S. 4134) to define, regulate, and license real-estate brokers and real-estate salesmen; to create a real-estate commission; and to provide a penalty for a violation of the provisions hereof; to the Committee on the District of Columbia.

By Mr. HALE:

A bill (S. 4135) granting an increase of pension to Leotia L. Coombs (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 4136) for the purchase of a site and the erection of a post-office building thereon at Fort Lauderdale, Fla.;

A bill (S. 4137) for the purchase of a site and the erection of a post-office building thereon at Plant City, Fla.;

A bill (S. 4138) for the purchase of a site and erection of a post-office building thereon at Winter Haven, Fla.;

A bill (S. 4139) for the purchase of a site and the erection of a post-office building thereon at Bradenton, Fla.;

A bill (S. 4140) for the purchase of a site and the erection of a post-office building thereon at Arcadia, Fla.;

A bill (S. 4141) to enlarge, extend, and remodel the public building at Tampa, Fla.;

A bill (S. 4142) to enlarge, extend, remodel, etc., public building at Lakeland, Fla.;

A bill (S. 4143) for the erection of a public building for a post office and other purposes at Lake City, Fla.; and

A bill (S. 4144) for the erection of a public building for a post office and other purposes at Key West, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. HARRIS:

A bill (S. 4145) for the relief of J. C. Peixotto; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 4146) granting a pension to Mary L. Stevens; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 4147) granting an increase of pension to George F. Hathaway (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4148) to provide a complete code of insurance law for the District of Columbia (excepting marine insurance as now provided for by the act of March 4, 1922, and fraternal and benevolent insurance associations or orders as provided for by the act of March 3, 1901), and for other purposes; to the Committee on the District of Columbia.

A bill (S. 4149) granting an increase of pension to Sarah S. Vaughan (with accompanying papers); and

A bill (S. 4150) granting an increase of pension to Mary A. Van Buskirk (with accompanying papers); to the Committee on Pensions.

By Mr. KENDRICK:

A bill (S. 4151) to provide for aided and directed settlement on Government land in irrigation projects; to the Committee on Irrigation and Reclamation.

By Mr. FLETCHER:

A bill (S. 4152) to authorize the Secretary of War to grant a perpetual easement for railroad right of way over and upon a portion of the military reservation on Anastasia Island, in the State of Florida; to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 4153) creating a Federal cooperative marketing board to encourage and aid, upon application, in the formation of cooperative marketing associations, cooperative clearing-house associations, and terminal market associations handling agricultural products; to correlate the activities of such associations; to develop efficient and economical methods of distributing and marketing such products; to bring to the aid of such associations the resources of the departments of the Federal Government; and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. COUZENS:

A bill (S. 4154) to provide for the reincorporation of the National Daughters of the Grand Army of the Republic; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

A bill (S. 4155) to provide cooperation to safeguard endangered agricultural and municipal interests and to protect the forest cover on the Santa Barbara, Angeles, San Bernardino, and Cleveland National Forests from destruction by fire, and for other purposes; and

A bill (S. 4156) to authorize the establishment and maintenance of a forest experiment station in California and the surrounding States; to the Committee on Agriculture and Forestry.

By Mr. PEPPER:

A joint resolution (S. J. Res. 178) to provide for the loaning to the Pennsylvania Academy of the Fine Arts of the portraits of Daniel Webster and Henry Clay; to the Committee on the Library.

#### UPPER MISSISSIPPI WILD LIFE AND FISH REFUGE

Mr. REED of Missouri. I introduce a joint resolution, which I ask may be read at length and referred to the Committee on Agriculture and Forestry.

The joint resolution (S. J. Res. 179) to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild-life and fish refuge" was read the first time by its title, the second time at length, and referred to the Committee on Agriculture and Forestry, as follows:

*Resolved, etc.,* That section 10 of the act entitled "An act to establish the upper Mississippi River wild life and fish refuge," approved June 7, 1924 (43 Stat. L. p. 650), be, and the same hereby is, amended by striking out that part of said section which reads: "but no money shall be available for the acquisition of any area until the Secretary of Agriculture has ascertained that all of the areas to be acquired under this act will be acquired within the amounts appropriated or authorized to be appropriated therefor and at an average price not in excess of \$5 per acre, and not in excess of the average selling price, during the years 1921, 1922, and 1923, of comparable lands within the vicinity of such areas," and by substituting in lieu thereof the following: "Provided, That the Secretary of Agriculture shall not pay for any land or land and water a price which, when added to the price of land or land and water theretofore purchased, shall exceed an average cost of \$5 per acre."

#### JEREMIAH JOSEPH MURPHY

Mr. HARRIS introduced a bill (S. 4157) authorizing the appointment of Jeremiah Joseph Murphy a captain in the Infantry of the United States Army, which was read the first time by its title, the second time at length, and referred to the Committee on Military Affairs, as follows:

*Be it enacted, etc.,* That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, Jeremiah Joseph Murphy, now a warrant officer of the Regular Army of the United States, to the position and rank of captain of Infantry in said Army, to rank from July 1, 1920.

The accompanying statement was ordered to be printed in the Record, as follows:

# BRIEF STATEMENT OF THE MILITARY RECORD OF JEREMIAH JOSEPH MURPHY

Born in Ireland June 6, 1885.

## EDUCATION

Equivalent of high school and two years at college.

## MILITARY EXPERIENCE

May 21, 1911, to April 18, 1917, in the First Battalion of Engineers and the First Engineers, as private, corporal, sergeant, and first sergeant.

April 19, 1917, to October 25, 1919, in the Sixth Engineers, as first sergeant, master engineer, second lieutenant, first lieutenant, and captain.

October 27, 1919, to August, 1921, First Engineers, as master engineer.

August, 1921, to date, warrant officer, United States Army.

Now holds a commission as captain in the Engineer Officers' Reserve Corps.

In France and Germany from December, 1917, to August, 1919.

During the World War he participated with his regiment in the following engagements: Somme defensive, Marne defensive and offensive, St. Mihiel, and the Argonne.

In Greece on relief work with the American Red Cross from January, 1923, to July, 1923.

August, 1923, to February, 1924, on duty in Governors Island, N. Y., in the Adjutant General's Department.

February, 1924, to date, in the United States district engineer's office, Pittsburgh, Pa.

## PREFERENCE IN THE CONSTRUCTION OF PUBLIC BUILDINGS

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (H. R. 11791) to provide for the construction of certain public buildings, and for other purposes; to the Committee on Public Buildings and Grounds.

## THE COLORADO RIVER BASIN

Mr. McNARY submitted the following resolution (S. Res. 320), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Irrigation and Reclamation, or a duly authorized subcommittee thereof, is authorized to make a complete investigation with respect to proposed legislation relating to the protection and development of the Colorado River Basin. For the purposes of this resolution such committee or subcommittee is authorized to hold hearings prior to the beginning of the first regular session of the Sixty-ninth Congress, to sit and act at such times and places within the United States, and to employ such clerical and stenographic assistants as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. The committee or subcommittee is further authorized to send for persons and papers, to administer oaths, and to take testimony; and the expense attendant upon the work of the committee or subcommittee shall be paid from the contingent fund of the Senate.

## SPECIAL ASSISTANT TO THE DISTRICT COMMITTEE

Mr. CAPPER submitted the following resolution (S. Res. 321), which was referred to the Committee on Appropriations:

*Resolved*, That there be, and hereby is, appointed a special assistant to the Senate Committee on the District of Columbia who shall be a stenographer and who shall be paid a salary not to exceed \$2,000 per annum, in regular monthly installments, from and after the date of the passage of this resolution.

## INVESTIGATION OF FOREST PRODUCTS LABORATORY AT MADISON, WIS.

Mr. BROOKHART submitted the following resolution (S. Res. 322), which was referred to the Committee on Agriculture and Forestry:

Whereas Arthur Arent, president of the Arthur Arent Laboratories (Inc.), of Des Moines, Iowa, has submitted to the Committee on Agriculture and Forestry of the Senate a sworn statement in which he alleges that unfair methods have been used and untrue statements have been made by officials in the Forest Products Laboratory of the United States Department of Agriculture at Madison, Wis., and that these officials are acting in conjunction with certain creosote interests to destroy the sale of his products; and

Whereas Arthur Arent has requested the Committee on Agriculture and Forestry to examine the evidence submitted by him and to afford him a hearing concerning the methods, statements, and practices of the Forest Products Laboratory at Madison, Wis., and of such creosote interests: Therefore be it

*Resolved*, That the Committee on Agriculture and Forestry, or duly authorized subcommittee thereof, is authorized to make a full and complete investigation into the accuracy of such charges and allegations, to ascertain the facts concerning such practices, statements, and methods, and to report thereon to the Senate.

## POSTAL SALARIES AND POSTAL RATES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3674) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes.

Mr. HARRISON. Mr. President, I ask unanimous consent that the vote by which the amendment in section 208, the first paragraph of subsection (b), was agreed to may be reconsidered that I may offer an amendment to it.

Mr. MOSES. Inasmuch as the Senator can offer his amendment when the bill is in the Senate, will he not wait until then?

Mr. HARRISON. I prefer to offer it in this way.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Mississippi?

Mr. MOSES. I shall not object. Of course, the Senator can offer the amendment when the bill gets into the Senate and in any event he is merely anticipating.

The PRESIDENT pro tempore. The Chair hears no objection and the vote by which the part of the amendment indicated was agreed to will be reconsidered.

Mr. HARRISON. Now, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Mississippi offers an amendment to the first paragraph, which the clerk will report.

The READING CLERK. Strike out the first paragraph of subsection (b) of section 208 as amended, reading as follows:

(b) That on fourth-class matter the rate of postage shall be by the pound as established by, and in conformity with, the act of August 24, 1912, and in addition thereto there shall be a service charge of 2 cents for each parcel, except upon parcels or packages collected on rural delivery routes, to be prepaid by postage stamps affixed thereto, or as otherwise prescribed by the regulations of the Postmaster General.

And insert in lieu thereof:

(b) That on fourth-class matter the rate of postage shall be by the pound, the postage in all cases to be prepaid by postage stamps affixed thereto or as otherwise prescribed by regulations of the Postmaster General.

Mr. HARRISON. Mr. President, the amendment I have offered, if it should be adopted, would leave the postal rate on parcel-post matter the same as it is at the present time. In other words, it would eliminate the 2-cent flat postage rate that has been adopted upon all parcels and would eliminate the exception that was incorporated in the amendment proposed by the Senator from Georgia [Mr. GEORGE]. The question is whether we propose to take care of the estimated deficit to the extent of \$20,000,000 from the parcel-post mail or whether we will leave the old rate intact.

From the report of the Post Office Department we find that on first-class mail matter the revenues were \$271,000,000 and the expenditures \$191,000,000, leaving quite a balance in favor of the Government. On second-class matter the revenues were \$31,000,000 and the expenditures \$105,000,000, a loss to the Government of \$74,000,000. We all know and the country knows that that deficit is caused by the advertising matter in the newspapers and periodicals carried through the mails. There is \$74,000,000 lost to the Government every year from that source. My amendment does not propose to disturb what has been done by the Senate respecting that matter. But when we come to the fourth class we find that the revenue to the Government was \$120,000,000 and the expenditures were \$127,000,000, leaving a net loss of only \$6,916,000. So we find that while on parcel post the Government has lost approximately \$7,000,000 and on second-class matter—namely, newspapers and periodicals—has lost \$74,000,000, yet when we come to raise the revenue on this measure we find that through the amendments that have been adopted by the action of the Senate we have incurred a still greater deficit of \$600,000 to \$900,000 on the newspapers and periodicals, while we attempt to raise \$20,000,000 additional revenue from the parcel post.

Why should we place a further burden on the farmers of the country by increasing the rates on parcel-post packages in order to raise 40 per cent of the deficit which would be incurred in paying the increased salaries to the postal employees? That is what is proposed to be done. The committee bill does not attempt to equalize the rates in order that the various classes of mail matter shall share their proportion, but it places the burden on the parcel post service to the amount of 40 per cent.

Mr. President, there is no justification for making the farmers of the country pay \$20,000,000 and reducing the amount to be paid by the newspapers and periodicals of the country to the extent of \$640,000 below what they now pay. Although



such publications alone are carried at a deficit of \$74,000,000, as is shown by the report of the Post Office Department, and there is created by the parcel post service a deficit of only \$7,000,000, yet it is now proposed to raise from the parcel post \$20,000,000, and, I repeat, to give to the newspapers and the periodicals a decrease in their rates from \$600,000 to \$900,000. So I submit that we should not increase the parcel-post rates. If the amendment which I have offered shall be adopted, it will leave the parcel-post rates just as they are to-day.

Now let us consider the 2-cent flat rate which is placed upon the parcel post service. The Senator from New Hampshire [Mr. Moses] on yesterday stated that there would be derived from that item \$20,000,000. It is shown, I believe, by the hearings, as I have read them, that about 1,000,000,000 parcels are shipped through the mails every year. A 2-cent rate will amount to \$20,000,000. Mr. Stewart, in his testimony before the committee, stated that about 1½ per cent of the total amount of parcels shipped by parcel post originate on rural routes. Consequently, the exception which is made by the so-called George amendment which has been adopted that the 2-cent flat rate shall not apply upon parcels which originate in rural routes would take care of 1½ per cent of all the parcels that enter into the parcel post—an almost infinitesimally small number—and yet there would be gentlemen who would go back to the farmers and say we released them from this increase of 2 cents. Senators, you will not be able to deceive them through any such course.

The hearings disclosed the further fact that Mr. Stewart, who, perhaps, knows more than anyone else in the whole department about the operation of postal matters, stated that about 35 per cent of all the parcels that go into the parcel post service are delivered through the third and fourth class post offices.

We all know that the third and fourth class post offices supply the farmer, supply the man in the little village, and that a great proportion of the 35 per cent of the 1,000,000,000 packages that go into that service concern the farmers of the country.

Mr. Stewart further testified that the farmers on the rural routes receive about 10½ per cent of the parcels that enter into the parcel post. If that be true, such parcels are not excepted under the amendment offered by the Senator from Georgia, but the 2-cent increase which is proposed in the bill is imposed upon them. So, Mr. President, we have here the remarkable situation that it is proposed to raise from the farmers of the country 40 per cent of the \$50,000,000 which is expected to be raised in the bill. It is unjust; it is unfair; it is indefensible from any angle.

Not only is it proposed to put the 2 cents charge upon all packages that enter into the parcel post, which would cost the farmers approximately \$20,000,000, but it is proposed to go beyond that, so that when the farmer buys merchandise or something else in the little village or the town or the far-away city and has to buy a money order at the third or fourth class post office, he will have to pay an increase from the present rate of 3 cents to 5 cents on the smaller amounts. It is not a big item, but it is an item of expense, and the farmer will have to pay that additional burden.

However, the framers of this bill do not stop there. It seems as though they picked out the farmer as the one from whom the additional revenue should be raised and paid no attention to anyone else. Indeed, in writing the provisions of the bill, in the beginning it was proposed to compel the newspapers and periodicals to pay a part of this sum, but when the proprietors of those publications, with all their power and influence, sent word to the committee to cease their efforts in that direction, they got off, and they got off very quickly. Instead of leaving those provisions of the bill as they were, we find that through reductions brought about by the various amendments the publishers now receive a greater benefit than they formerly did. I have no quarrel about that matter; my amendment does not affect that situation at all; but I say it is unjust, when, as a result of the rates which are imposed on second-class matter, there is a deficit of \$74,000,000, and on the fourth-class matter, covering the parcel-post service, there is a deficit of only \$7,000,000, to attempt in this bill to raise \$20,000,000 from the Parcel Post System and make the deficit for carrying newspapers and periodicals greater than it is to-day.

If Senators can defend that, well and good.

But those sponsoring this bill did not stop at putting the 2-cent additional rate upon packages which enter the Parcel Post System; they did not stop at the increase of the rate upon the little money orders which the farmers have to purchase from the post office in order to buy at a distance goods or merchandise; but it is proposed to increase the rate upon the insurance that is taken out at the post office in order to mail packages of goods to the farmer living away out in the woods.

So when the farmer on a rural route desires to buy something in Chicago or in New York or in Baltimore or in Washington he is burdened by the increased rates on money orders, and then he must pay the increased rates for insurance which are imposed on the goods shipped to him.

So, Senators, I submit this amendment in utter good faith. I say it is not fair to burden the farmers to this extent. Let us leave the matter, so far as they are concerned, as it is in the present law. Let us not cripple the parcel-post service of this country. There was a long and a tedious fight before we could write into the law provisions establishing the Parcel Post System. It is working well; it is bringing benefits to those living on the rural routes and at the small post offices of the country. It is carrying some relief to the consumers of America through the elimination of the middleman. Let us do nothing by our action here that will destroy or injure the system. We ought not to cripple that service; and if my amendment shall be adopted, as I hope it will be, we will leave the present law intact and will at least restrain ourselves in this instance from imposing greater burdens on the farmers of the country.

Mr. TRAMMELL. Mr. President, will the Senator yield to a question?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Florida?

Mr. HARRISON. I yield.

Mr. TRAMMELL. Is it not the opinion of Senators that the money-order facilities are used to a greater extent by the farmers and poorer people of the country who do not carry banking accounts than by others?

Mr. HARRISON. There is no question about that.

Mr. TRAMMELL. And, therefore, in increasing the charges on that service the burden is shifted to the farmers and poorer classes of people throughout the country?

Mr. HARRISON. The Senator, of course, is right in that contention.

Mr. MOSES. Mr. President, if the Senator from Mississippi had been present during the past few days in order to be enlightened by the debate on this question, instead of being absent elsewhere enlightening other people on their political duties, he would have learned the reason why these amendments were proposed by the committee. I can not refrain, however, Mr. President, from congratulating the Senator from Mississippi upon the ardent return to his former manner of oratory, although the speech which he has just made is one which I would have expected him to make prior to his reelection instead of afterwards.

Mr. President, the parcel post comprises more than 64 per cent of the weight of the mails and more than 50 per cent of the bulk of the mails. I instance these facts because the Post Office Department sells postage by weight and transports mail matter by the cubic foot. The parcel post, comprising more than 60 per cent of the weight of the mail and more than 50 per cent of the bulk of the mail, pays less than 25 per cent of the mail revenue. The parcel post alone among all classes of mail matter has enjoyed an absolute reduction in its money rates during the period when the rates on all other classes of mail matter have been increased. It has received a further favor in that the weight of the package to be carried has been multiplied and the cubic contents of the package to be carried have been multiplied.

Under these circumstances the subcommittee rejected utterly the figures of the cost-ascertainment committee so far as they relate to the parcel post. The committee viewed with skepticism, to say the least, another conclusion of the cost-ascertainment committee, and even considering the burden which the Senator describes so pathetically as being about to be imposed on the 1½ per cent of the parcel-post business originating on rural routes and on only 10½ per cent, taking the item of packages delivered on rural routes into the calculation, as compared with the entire parcel-post business of the department, came unanimously to the conclusion that the service charge should be added; and for another reason, too, than for the revenue which would be derived. The increase in parcel-post revenue will give us a more accurate understanding of the volume of the parcel post, because it is very easy to divide the added revenue by 2 cents and ascertain the number of packages.

I do not question the Senator's good faith in presenting this amendment. The Senator's good faith, Mr. President, would proceed to the point where he would destroy this bill in its practical effect; and if the Senator's amendment taking \$18,000,000 out of the sum proposed to be raised by these rates shall be adopted it will destroy the bill. The question of voting on the Senator's amendment comes, therefore, in the last analysis, Mr. President, to the question which has constantly



confronted us as we have been voting on the amendments offered by the committee and those offered from the floor, namely, whether we really want to carry out the purpose which Congress so overwhelmingly expressed last June.

Mr. HARRISON. I ask for the yeas and nays on my amendment.

The PRESIDENT pro tempore. The yeas and nays are demanded. Is there a second?

Mr. CARAWAY. Mr. President—

The PRESIDENT pro tempore. The demand for the yeas and nays does not seem to be sufficiently seconded.

Mr. HARRISON. Mr. President, I thought the Chair was about to recognize another Senator. I think there were a sufficient number to second the demand. I make the point of no quorum, if there is not a sufficient number to second the demand now present.

Mr. NORRIS. I hope the Senator will not do that.

Mr. MOSES. If the Senator wishes to delay the passage of the bill, he can do so.

Mr. HARRISON. I withdraw the point of no quorum.

Mr. NORRIS. I wish to say a few words, and there are other Senators who wish to speak to the amendment. Otherwise I should be willing to have the vote now.

The PRESIDENT pro tempore. Does the Senator from Mississippi make the point of no quorum?

Mr. HARRISON. I withdraw that suggestion, but I do not want to be deprived of the yeas and nays on the amendment.

The PRESIDENT pro tempore. The demand for the yeas and nays now appears to be sufficiently seconded, and the yeas and nays are ordered.

Mr. COPELAND. Mr. President, I have in my hand an estimate of the additional revenue which will be derived from this bill. I find that the estimate as given here is \$29,142,000; and, of course, with the amendments which have been accepted by the Senate the amount of revenue will be materially less than this.

I have the feeling, Mr. President, that the measure before us is a sham bill. I doubt if the country will be satisfied either by the passage of the bill or by the defeat of postal legislation which, to my mind, is imminent.

Mr. SIMMONS. Mr. President, the statement just made by the Senator is very interesting. I understood him to say that he held in his hand a statement showing that the amount of revenue estimated to be derived from this bill is \$29,000,000. That is so in conflict with the statement made by the Senator from New Hampshire [Mr. MOSES] as to what it would yield that I should like to ask the Senator who made that estimate.

Mr. COPELAND. It was exactly because I had the feeling that is apparently in the mind of the Senator from North Carolina that I spoke of this matter. I have here an analysis of the Sterling bill, which was handed me by one of the Senators new on the floor, sent to him, as I understand, by the Senator from South Dakota [Mr. STERLING], with this particular memorandum attached, which I hand to the Senator, showing an estimated increase of revenue of \$29,000,000.

Mr. NORRIS. Mr. President, may I ask the Senator a question on that point?

Mr. COPELAND. I yield to the Senator.

Mr. NORRIS. Was that estimate of \$29,000,000 made after the adoption of the committee amendments, or before?

Mr. COPELAND. Before, as I understand.

Mr. NORRIS. Of course, it is conceded that the adoption of the committee amendments reduces the amount very materially below that.

Mr. MOSES. Oh, no; oh, no, Mr. President.

Mr. STERLING. Mr. President, I think the Senator from New York made a misstatement with regard to that. He referred to the Sterling bill as the bill analyzed and of which he has the analysis there; but that is not the Sterling bill. The estimate on the Sterling bill, I think, was about \$66,000,000 instead of \$29,000,000.

Mr. MOSES. That is correct, Mr. President. The estimate of \$29,000,000 was made by the Post Office Department upon the erroneous print of the bill, which I explained to the Senate yesterday, the Senator from New York being then absent. He probably has not taken time to read the Record this morning. The estimate of \$29,000,000 arose from the erroneous print of the bill which was in the hands of Senators. The errors were pointed out in the course of the discussion yesterday, and were corrected in the amendments which were offered either by me or by the Senator from Georgia [Mr. GEORGE]; so that the sum total to be raised in this bill is substantially what I stated to the

Senator from Mississippi [Mr. HARRISON] in the short colloquy which he and I had toward the close of the day.

Mr. COPELAND. Mr. President, in spite of this I wish to say I regard this bill as a bill intended to save the face of the President because of his veto, and I doubt exceedingly if it will be enacted into law. I have no doubt that when it is all over the postal employees will still be cheated out of the increases to which they are clearly entitled.

Mr. MOSES. Mr. President, may I ask the Senator a question?

Mr. COPELAND. I yield to the Senator.

Mr. MOSES. Does the Senator intend to vote for this bill when it comes up for passage?

Mr. COPELAND. I am very glad, Mr. President, to answer that question. I want to say before doing so that it would be impossible to plan another bill so violative of senatorial freedom in voting. I doubt if a dozen Members of this body are satisfied with the measure. A large majority favors increased pay for the postal employees. I venture to say that a majority opposes the increased rate on newspapers. There can be no doubt that the parcel-post increases would be defeated by an overwhelming vote if that particular item of the bill could be considered separate and apart from the other features. The measure is unfair to the Senate; it is unfair to the newspaper owners; it is unfair to the farmers and the small merchants of this country; it is unfair to the postal employees, because for what is their just desert it is proposed to barter a distasteful and unnecessary revenue bill.

The newspapers which most loudly advocated the election of "Coolidge to avoid chaos" will be hardest hit. In spite of the fact that they deserve the medicine they must take, I am regretful of their plight. We need the educational work so ably done by the press of the country.

Mr. STERLING. Mr. President, will the Senator yield?

Mr. COPELAND. I yield to the Senator.

Mr. STERLING. Will the Senator point out wherein there has been any increase in rates on newspapers in the bill so far?

Mr. COPELAND. Is there any doubt in the mind of the Senator that there is an increase?

Mr. STERLING. I think there is some doubt. The flat rate goes back to 1¼ cents per pound.

Mr. COPELAND. And yet, Mr. President, Senators on the other side of the aisle contend that there is going to be an increase of \$50,000,000. I think that was the amount mentioned by the Senator from New Hampshire. Where is it to come from?

Mr. STERLING. According to the present estimate of the Senator from New Hampshire, \$50,000,000 will be produced by this bill after the adoption of the amendments which were adopted.

Mr. COPELAND. I hope, if it becomes necessary to pass this revenue bill, that there may be, from some proper source, the increased income which the Senator suggests.

Mr. STERLING. I will say to the Senator from New York that neither in the flat rate on the reading matter of newspapers nor in the rate on the advertising portions of newspapers is there an increase of rates over the bill as first presented or over the rates as they now exist under the law.

Mr. COPELAND. The Senator from South Dakota, I think, will have some difficulty in satisfying the newspapers of this country as to the accuracy of that particular statement, certainly as it relates to the ultimate effect of the bill upon the postal rates they will pay in the future.

Mr. ODDIE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Nevada?

Mr. COPELAND. I yield to the Senator.

Mr. ODDIE. I refer the Senator from New York to the proceedings of the Senate on yesterday in regard to this matter.

Mr. COPELAND. Mr. President, if we listened to the Senators on the other side of the aisle we would conclude pretty soon that nobody is hurt by the bill; that there is no increase from any source. It strikes me there is a very marked inconsistency between the statement of the chairman of the committee that there is going to be an increase of \$50,000,000 in revenue and these repeated statements from Senators on the other side that nobody is going to be hurt because there is to be no increase in the rate of postage charged on any class of mail service.

After a while, I think, particularly after they hear about the effect on the parcel post, the farmers of America will find out that they never get any consideration from the Republican Party. All that the leaders of the "Grand Old



Party" care about the farmers is their votes. This blow at the Parcel Post System may break the back of the patient agriculturist.

I am glad that we were able to save the religious and fraternal organizations from the wreck. They alone stand unscathed in the general smash.

In the face of the Treasury returns, showing a vast surplus, this revenue bill is unnecessary. It is an outrage upon legislative decency. I am ashamed of it, and stand amazed at the effrontery of the party presenting it.

The Senator from New Hampshire [Mr. MOSES] asked if I should vote for the bill. I am forced to vote for it because of the kernels of goodness it contains. Whatever virtues it possesses were made possible by Democratic votes. Whatever evils it has—and they are legion—are the gift to the country of the administration and the Republican Party in an effort to save the President's face because of his veto.

A famous Republican Governor of Michigan once said that he "held his nose and voted the Republican ticket." I shall hold my nose and vote for this bill, because in no other way than by its passage can the faithful employees of the Government be rewarded. The corrupt practices amendment, put upon the bill by the Senator from Massachusetts [Mr. WALSH], is essential to the purity of our elections. I trust it may result in breaking the strangle hold opulent Republicans have on the electorate in certain sections.

It is a shame to think that senatorial freedom in voting is destroyed by the present methods of controlling legislation. In Senate hall and committee rooms our legislative acts should be determined. I shall be glad, Mr. President, when the *Mayflower* is used exclusively for the pleasure and executive duties of the President. When it is so employed, fewer public officials will use nautical language and respond: "Aye, aye, sir!" to the commands of the White House.

I speak strongly because I feel strongly. This bill is outrageous, and I feel outraged that I must vote for it, as I shall.

Mr. ODDIE. Mr. President, will the Senator from New York answer a question that I should like to propound to him?

Mr. COPELAND. I shall be glad to answer the question.

Mr. ODDIE. In view of what took place in the Senate yesterday, does not the Senator think it would be better to correct the statement he has just made regarding the rates on newspapers?

Mr. COPELAND. Does the amendment which was adopted yesterday, as the Senator from Nevada understands it, return all newspaper rates to the old rates in all the zones?

Mr. ODDIE. No, Mr. President; there are several changes. The rates as they are now in the bill which is before us are not exactly as they were before.

Mr. COPELAND. Does the Senator mean by that that there are some raises in the newspaper rates?

Mr. ODDIE. No; I do not mean by that, Mr. President, that there are any raises, because there are no raises. The rates are slightly below the existing rates.

Mr. COPELAND. Oh! Then, so far as the newspapers are concerned, the rate is to be less, is it, than the present rate?

Mr. ODDIE. Yes; but that is not the point I have raised. I have not raised the point of the advisability or the inadvisability, as some may say, of the change in rates; but I have raised the point that the Senator from New York has made a statement which can not be borne out by the facts—that the rates adopted yesterday by the Senate were above the existing rates, when as a matter of fact they are below.

Mr. McKELLAR. Mr. President, for information I should like to ask the Senator a question. I may have made a mistake. As I understand, the rates were lowered on reading matter in newspapers. They were left exactly the same in the first and second zones on advertising matter under the amendment of the Senator from Nevada, were they not?

Mr. ODDIE. They were, but below the existing rates on reading matter.

Mr. McKELLAR. In other zones they were increased. Unless that is true, I misunderstand the situation. They were lowered on reading matter to  $1\frac{1}{4}$  cents and on advertising matter they were left the same in the first and second zones and in the farther zones they were increased. Is that the Senator's understanding of the situation?

Mr. MOSES. Mr. President, if the Senators will permit me, the average rate for all zones now is  $5\frac{1}{2}$  cents. The rate proposed in the bill as originally introduced, under the rates formulated by the Post Office Department, was 6.625 cents. The average rate for all zones as now standing is 5.625 cents, or 1 cent less than that proposed by the Post Office Department and

three-fourths of a cent above existing rates. That is the average for all zones.

Mr. McKELLAR. That was my understanding of it.

Mr. NORRIS. Mr. President, I wish the Senator from New York would have the Senator from New Hampshire elucidate this matter just a little further. I think it is very misleading to say that the average in all zones is raised just a little on advertising matter. It is decreased in the first zone, the second zone, and perhaps the third zone, is it not?

Mr. MOSES. No.

Mr. NORRIS. Just in the first two zones?

Mr. MOSES. It remains exactly the same in the first and second zones.

Mr. NORRIS. I think it is fair to state, and I will be corrected by the Senator from New Hampshire if it is wrong, that the average rate is increased by reason of an increase in the far zones. Newspapers do not circulate in those zones.

Mr. GOODING. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. COPELAND. Just one moment. I want to ask the Senator from New Hampshire if, according to his estimates of this morning, there will be any increase in revenue because of the change in law relating to the postal rates on newspapers?

Mr. MOSES. I do.

Mr. COPELAND. How much does he estimate it will be?

Mr. MOSES. I think it will be between three and four million dollars.

Mr. COPELAND. Very well, then. Mr. President, how can any Senator on the other side of the aisle say that there is to be the same rate upon newspapers, when the Senator from New Hampshire states that there is to be an increase of three or four millions in the revenue from postage upon newspapers? It is absurd, and in this matter, as in all others relating to this particular bill, the Senators on the other side are throwing dust in the air.

Mr. MOSES. Mr. President, will the Senator yield to me?

Mr. COPELAND. I yield.

Mr. MOSES. "A little learning is a dangerous thing," Mr. President. The Senator from New York, if he understood the postal-rate structure at all, would know that in second-class postal rates there are two classifications; and I am not now speaking of newspapers and periodicals. I am speaking of the second-class matter deposited in the mails by the publishers. There is, in addition, Mr. President, a very large volume of second-class mail carried by the Postal Service which is known as the transient second class—individual periodicals and newspapers deposited in the mails by persons who, having read a magazine, for example, want to send it to a friend. Those rates carry \$1,000,000.

Mr. GOODING. Mr. President—

Mr. COPELAND. I yield to the Senator.

Mr. GOODING. I would like to ask the Senator from New Hampshire, who has had this bill in charge, how much of a decrease the Oddie amendment makes in the revenue derived from second-class matter in the first zone beyond that produced by the amendment of the subcommittee which has been adopted?

Mr. MOSES. It is absolutely impossible to answer that question.

Mr. GOODING. How much, approximately?

Mr. MOSES. I would think that the effect of the Oddie amendment, as compared first with the proposals of the subcommittee, might be to reduce the total increase in revenue on that class of periodicals by something like \$1,000,000.

Mr. GOODING. How much less would it be than the revenue now collected by the Government on that class?

Mr. MOSES. I should think about a million and a half.

Mr. GOODING. Less than what is now collected?

Mr. MOSES. Yes. But, of course, Mr. President, the Senator from Idaho must understand that when you undertake to separate second-class matter into any one of the eight zones you are coming to a point where it is a mere rule of thumb for estimating, and I am giving the Senator from Idaho the best judgment I possess about it.

Mr. GOODING. I am sure the Senator is; but it is an actual reduction from the present rate now being paid?

Mr. MOSES. I so regard it.

Mr. COPELAND. I suppose, Mr. President, that it is impossible to tell, because the bill, to use a word which I hope the Senator from New Hampshire will not consider a wrong word to use in view of his statement the other day, is so unscientific that he has to use "a rule of thumb" to determine what will happen.



Mr. MOSES. I want to assure the Senator from New York now that I have become quite accustomed to the eccentricities of his vocabulary, and no word he can use will irritate me.

Mr. COPELAND. I am very happy that the Senator from New Hampshire is so yielding and kind. I find him so in personal contacts as well as on the floor of the Senate. But I want to discuss further with the Senator from New Hampshire the revenues to be derived under this bill. We have now discovered that the Oddie amendment saves a million, but that still the newspapers will have to pay \$3,000,000 more than they are paying at present. Will the Senator from New Hampshire assure us now that on the parcel post there will be no additional burden upon the people?

Mr. MOSES. Oh, Mr. President, I suppose a hundred times in the course of the discussion on this bill I have undertaken to say, and I probably have been unintelligent in saying it, since I have not conveyed the idea to the Senator from New York, that we have undertaken in this bill to allocate, so far as possible, the amount of money we seek to derive to all the classes of mail matter, and necessarily the parcel post will have to take a portion of it.

Mr. COPELAND. How much?

Mr. MOSES. The Senator might have read that in the RECORD this morning, inasmuch as he was not here yesterday, but I estimate that it will be something like \$20,000,000. The Senator from Mississippi [Mr. HARRISON] stated it this morning, and he was accurate about it. I did not deny his figures. The Senator from New York heard that. He could have grasped it then.

Mr. COPELAND. Mr. President, the Senator from New Hampshire need not worry about whether the Senator from New York knows it or not. I want the Senator from New Hampshire to repeat this frequently, so that the country may know that \$20,000,000 is going to be put upon them to pay for the advances proposed in this bill for the parcel post, \$20,000,000 upon the farmers and the small merchants of this country.

Mr. MOSES. If the Senator from New York will be patient, as I am, and will wait until after he has held his nose and voted for the bill, I purpose to state on the floor of the Senate, and to put into the RECORD, of course, my opinion of what the bill will produce and from what classes of mail matter. I have no intention of keeping from the Senate or from the country any facts essential with reference to the rates which we propose. I intend that the country shall know, and from me, what the effect of this bill will be upon all classes of mail matter.

Mr. COPELAND. Mr. President, I realize the discomfiture of the Senator from New Hampshire. He is just as anxious to have these postal salaries increased as I am. He has shown his bravery by presenting to the Senate and to the country an outrageous bill, which was entirely unnecessary in view of the state of the Treasury. In order that others in high place may not suffer criticism for the defeat of the postal employees' salaries, the Senator from New Hampshire, in his kindness of heart, fathers a bill proposing a "slight increase," as he says, "which does not amount to very much," only "a few millions," in order that we may be spared the pain of another presidential veto. I congratulate the Senator from New Hampshire!

Mr. MOSES. Mr. President—

Mr. OVERMAN. Mr. President, may I interrupt the Senator a moment?

Mr. COPELAND. I yield.

Mr. OVERMAN. I want to ask the Senator from New Hampshire a question. He says he expects to make a statement after the bill passes showing how the revenue is raised and from what sources. Why can he not make that statement now? I have to vote for or against the bill, and I would like to know what I am doing.

Mr. MOSES. Mr. President, this bill has not yet passed its amendment stage. I do not know in what form it will emerge, and I can not possibly make an estimate until the amendments are all in and I know what the bill is to be.

Mr. OVERMAN. I know the Senator has made an extensive study of this question, and I want to ask him whether he can not, as far as we have gone, state from what source the revenue will come?

Mr. MOSES. I have stated that. I stated that yesterday in the course of the debate. I think this bill will raise something like \$50,000,000. I stated yesterday that I thought it would raise \$20,000,000 from parcel post. I have said that I thought it would raise \$3,000,000 from second-class matter, and twelve and a half millions from first class.

Mr. OVERMAN. I was out of the Chamber all day attending a committee meeting, and I beg the Senator's pardon.

Mr. MOSES. I understand that. Once more the eccentric vocabulary of the Senator from New York has led him astray. I am not at all discomfited by any situation that will arise in connection with this bill.

Mr. COPELAND. Mr. President, may I interrupt the Senator?

Mr. MOSES. Yes.

Mr. COPELAND. Is the Senator ever embarrassed?

Mr. MOSES. Oh, yes; frequently. All men of conscience are. [Laughter.]

I am sure that I am quite as anxious to grant postal-salary increases as the Senator from New York is. In fact, Mr. President, I think I am a little more desirous of granting them than he is, because I am not impeding the passage of the only measure that will grant them.

Mr. NORRIS obtained the floor.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New York?

Mr. NORRIS. I yield.

Mr. COPELAND. The Senator from New Hampshire asked if the Senator from New York would vote for the bill. I think he was not in the Chamber when I said that I would vote for the bill, and that I remembered a famous Republican Governor of Michigan saying that he voted the Republican ticket but held his nose while he did so. I am going to hold my nose and vote for the bill, because I want to see brought about what the Senator from New Hampshire is so anxious to have done—increases given the postal employees.

Mr. MOSES. Then let us get to it. If the Senator has such a poor opinion of the bill as he is evidently trying to express one more element of disfavor in the bill certainly can not make it any worse for him. So let us get to it.

Mr. HARRISON. Mr. President, will the Senator from Nebraska allow me to ask the Senator from New Hampshire one question before he starts his remarks?

Mr. NORRIS. I yield to the Senator.

Mr. HARRISON. I understood the Senator from New Hampshire to say that on the second-class matter there would probably be \$3,000,000 additional revenue raised, after the amendments had been adopted, and so on.

Mr. MOSES. Yes.

Mr. HARRISON. How much does the Senator believe would be raised from the transient second-class matter?

Mr. MOSES. One million dollars.

Mr. HARRISON. Does he think there would be a loss or an increase in revenue in connection with the publisher's second-class matter?

Mr. MOSES. My impression is, as I have said more than once, that these rates will bring back into the mail a considerable portion of second-class matter which has been withdrawn from the mail, and the total revenue will be increased.

Mr. HARRISON. The Senator does not think there will be a loss of a million six hundred thousand dollars?

Mr. MOSES. I do not.

Mr. HARRISON. Will the Senator from Nebraska allow me to have read and placed in the RECORD in this connection, because it touches this matter, a letter I have just received from the Postmaster General in answer to a request on my part that he give me the facts touching this question?

Mr. NORRIS. I yield for that purpose.

The PRESIDENT pro tempore. The Secretary will read.

The reading clerk read as follows:

OFFICE OF THE POSTMASTER GENERAL,  
Washington, D. C., January 30, 1925.

HON. PAT HARRISON,  
United States Senate.

MY DEAR SENATOR HARRISON: Replying to the inquiry from your office received over the phone, requesting information as to the amount of additional revenue, if any, which will be raised by the postage rates for second-class mail matter provided for in the bill S. 3674, as it now stands before the Senate with the changes that were adopted, I have to inform you as follows:

The additional revenue which would be raised on transient second-class matter; that is, publications entered as second class but mailed by the public would be approximately \$1,000,000 a year. The rates as provided for in the bill on publishers' second-class matter would result in a loss of revenues of approximately \$1,644,000.

This estimate does not include additional revenue which might be received if second-class matter now carried by freight should be diverted back to the mails. It is not believed that under the rates



stated there would be any considerable diversion. However, if there should be such a diversion, it is believed that the additional cost of transportation which would become necessary to provide for the carriage would be as much or greater than the additional revenue at the rates stated in the bill.

In reply to your further inquiry, I will say that the present rates on second-class matter do not make any distinction between newspapers and magazines, excepting that under present rates any publication maintained by and in the interest of any religious, educational, scientific, philanthropic, agricultural, labor, or fraternal organization or association not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, the rate is  $1\frac{1}{4}$  cents a pound for both reading and advertising matter carried any distance. As I understand, the bill as it now stands in the Senate continues this rate.

Sincerely yours,

HARRY S. NEW,  
Postmaster General.

Mr. MOSES. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. NORRIS. I yield to the Senator.

Mr. MOSES. During the years when the present Postmaster General and I served together in this Chamber I valued him highly as a friend and a colleague, but I did not always agree with his conclusions. Since he has become Postmaster General, I value him no less highly as a friend and an associate in the Government, and in this instance, I do not agree with his conclusions.

Mr. NORRIS. Mr. President, I would like to ask the Senator from Mississippi if the letter of the Postmaster General was written with a knowledge of the so-called Oddie amendment having been adopted?

Mr. HARRISON. The letter came to me this morning, following a request at about 11 o'clock for this information. So I have no doubt that it is up to date, and that is what I wanted.

Mr. NORRIS. Then he took the Oddie amendment into consideration when writing that letter?

Mr. HARRISON. Yes; the Oddie amendment was a matter which came before the Senate yesterday.

Mr. NORRIS. Mr. President, it seems to me that what is happening now in the Senate on this very important measure illustrates so well the condition I tried to explain yesterday which exists in regard to the legislation that I can not refrain from again calling the attention of the Senate to it. We are seeking by the proposed bill to make a change in the perhaps greatest department of the Government, one at least that comes more intimately in connection with the life of the people of the country than any other department, one that enters into the business of all the people of the United States, one that goes into the homes of all the people, that has a close connection with their cost of living, with their method of living, with their business affairs, their social affairs, their religious affairs—everything connected with human life. When we undertake to make a change that shall go into all those things directly pertaining to the life of the people of the country we ought to be careful that we are doing it on the right kind of information. We ought to hesitate lest we make a mistake that would interfere with and turn over the method of living, the method of business, the method of society, and everything. It is a serious proposition, it seems to me.

I called attention yesterday to the fact that on the face of it it seems to me that we are doing it without sufficient information, because the bill that we are considering, if it is enacted into law, is only temporary and goes out of existence after 10 months' operation by its own terms. We are going to turn it upside down and have it upside down for 10 months and then turn it back again. We are going to interfere with everything for that length of time. It may be that it will turn out from experiment that it is all right, but I do not believe it will. It is at least a guess. Nobody knows. The experts do not agree.

The committee and the representatives of the committee who have the legislation in charge do not agree with the Postmaster General. They do not agree with the fact finding commission. They do not agree with anybody but themselves. They may be right. I do not know. I am not in a position to judge. I ought to be before I am called upon to cast my vote. I ought to have an opportunity fairly and conscientiously to vote upon the question. It is the same with every other Senator. We can not get away from that proposition. We are going into something blindly. If it were a little thing, I would not care much about it, but it is a great thing that enters, as I said, into the very existence of all the people of the country, of every farmer, and of every business institution.

It seems that yesterday the Senate adopted the so-called Oddie amendment. There seems to be a dispute here as to just what effect that will have. Outside of the more distant zones the author of the amendment, it seems to me, thinks it is going to reduce present rates on newspapers. I understood at the beginning of the consideration of the proposed legislation that the great reason why there was such a great deficit in the Post Office Department was because of second-class matter, the deficit being between \$70,000,000 and \$80,000,000, and now we are going to raise the amount of that deficit not from the class that causes the deficit, if the statements of the Senator from New Hampshire are true, not from the class of mail matter that brings about the deficit, but we are going to still further decrease the cost of that class of mail and thus increase the deficit from that portion of the mail business, and then we must raise the amount of the deficit from somewhere else. We must increase the rates some other place.

I may be wrong, but I have the conviction in my mind and fairly well established that it was second-class mail matter that was to blame for the large deficit in the Post Office Department. I am not one of those who believe that in operating the Post Office Department we should make a profit or that it should even pay its own way. There are a good many reasons why on second-class mail matter we should stand a deficit. But if there is any place in it where, without injury to legitimate business, we could increase the rates I want to do it. If there is any other place where we can legitimately increase the rates without injury I would like to do that, too. But I have not and no other Senator has evidence, except some very conflicting statements that lead us nowhere except in a hole, upon which to base an intelligent judgment or an intelligent decision.

Why should we do this? It is proposed here to increase the rates on parcel post. Before the George amendment was adopted I think it was conceded that the rates in the bill would bring in an additional revenue of about \$20,000,000. I am not sure that upon a full hearing of the case I would not be in favor of increasing the parcel-post rates, but I am not willing to increase them unless I have formed an opinion upon reliable evidence that we are justified in doing it.

We had a great fight in Congress, running over many years, in the matter of the establishment of the parcel post. It was a contested question that was bitterly fought in one Congress after another. There was bitter opposition to it. I was in the House of Representatives during that fight, and I remember the arguments that were made against it, the wonderful propaganda that went out over the country against it; but after due consideration it was established. I think it is conceded now that the objections made to it were to a great extent fanciful and did not in reality exist, though honestly made by many classes of people, for instance, small storekeepers, who themselves are utilizing it now in their own business. It is not the terrible thing they thought it was going to be. It has done a wonderful amount of good. I do not want to cripple it. If we are going to raise the bulk of this revenue on the parcel post and reduce still further in the near-by zones the cost of second-class mail matter that brings about at least a very large proportion of the deficit, it seems to me that is unfair. I do not believe we are justified in doing that.

Mr. SIMMONS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. NORRIS. Certainly.

Mr. SIMMONS. I want to ask the Senator from Nebraska about a phase of the parcel-post question that has just suggested itself to my mind. The chief increase, almost the whole increase, on parcel-post matter is the requirement that upon every parcel, without reference to its weight or its value, there shall be placed a 2-cent stamp. A parcel that weighs 1 pound now pays within the first 50 miles 5 cents. A parcel that weighs 70 pounds now pays within the first 50 miles 74 cents. The same increase is made under the bill on a parcel which only weighs 1 pound and now pays 5 cents that is made on a parcel which weighs 70 pounds and now pays 74 cents.

Mr. NORRIS. The object of the pending amendment is to strike out that 2-cent charge.

Mr. SIMMONS. I wanted to ask the Senator if that was not a very discriminatory increase?

Mr. NORRIS. When we figure it out on a percentage basis, it would be. I have not heard this argued, but I want to be entirely fair with those who propose such a tax. I suppose that it is levied on the theory that there is always an initial



charge that is about the same on a package regardless of its size or weight. I think it might be described as akin to the terminal charge on a package of freight.

Mr. MOSES. The Senator from Nebraska may remember the statement which I made when I reported the bill four weeks ago to-day. I pointed out that this service charge was in the same nature as the so-called pick-up charge authorized by the Interstate Commerce Commission on all express packages, the pick-up charge being 35 cents on all packages.

Mr. COPELAND. Mr. President, we would be glad to hear the conversation on this side of the Chamber.

Mr. MOSES. Oh, it will all be in the Record.

Mr. NORRIS. The Senator from New York has a right to hear it. The conversation was not very audible. The Senator from New Hampshire called attention to a statement he made—

Mr. SIMMONS. Mr. President—

Mr. NORRIS. Just let me make this statement. The conversation was low and other Senators are entitled to know what it was about. I remember distinctly that when the Senator from New Hampshire said it, he made an impression on me that there is some reason behind it. I am not saying that there should not be some charge of this kind, but the 2-cent charge put on every parcel that goes into the Post Office Department was akin, the Senator from New Hampshire very well said, to what is called the pick-up charge of the express companies that they put on all packages. The pick-up charge is 35 cents.

Mr. MOSES. Yes; and is authorized by the Interstate Commerce Commission.

Mr. NORRIS. Of course, there is a difference between the pick-up charge and this charge because the express company goes after the package and gets it, as I understand it. The Post Office Department does not do that. We have to deliver a parcel-post package to the Post Office Department.

Mr. MOSES. If I may interject at that point, we have to deliver it to the Post Office Department at some point, not necessarily at the central post office.

Mr. NORRIS. No; I did not mean that.

Mr. MOSES. If it is delivered in this city, for example, at a postal station near the Senator's residence in Cleveland Park, it is there picked up by a Post Office Department wagon and taken to the city post office which, as the Senator knows, is adjacent to the railroad station.

Mr. SIMMONS. If the Senator will pardon me, by whatever name we may call this additional 2-cent charge, it is in effect increasing the rate that the sender pays upon his package. If the package takes the lowest or minimum charge, being of minimum size and weight, the sender has to pay an increase that amounts to nearly 100 per cent.

Mr. NORRIS. It would not be that much, but it would be a large percentage.

Mr. MOSES. Is not the Senator losing sight of the fact that we have transferred all packages of less than four ounces to the third class, where the rate is exactly the same and where there is no service charge?

Mr. SIMMONS. The point I am making is that when we imposed this charge we regulated it by weight. Now, when we go to increase the charge we do not consider weight at all; we impose the same amount of increase upon a 1-pound package that we do upon a 70-pound package.

Mr. MOSES. That is true.

Mr. SIMMONS. That is out of harmony with the law as it now stands, which was based upon weight.

Mr. MOSES. Would the Senator favor making a service charge of \$1.40 on a 70-pound package?

Mr. SIMMONS. No; Mr. President. I am simply objecting to this increase being based upon a theory so utterly at variance with the principle of the original parcel post act.

Mr. MOSES. Mr. President, of course, the service charge is supposed to be for the service rendered on a package, and it is just the same for a 4-ounce package as it is for one of 70 pounds.

Mr. SIMMONS. Call it service, or whatever it may be called, it is an additional charge.

Mr. NORRIS. Mr. President, there are provisions in this bill which practically every Senator very earnestly favors. We have added an amendment which, while to my mind it is entirely foreign so far as the subject matter is concerned to the title of the bill, would put on the statute books a law that we ought to have there. So there are a good many reasons why Senators are attracted to the bill and intend to vote for it. Nearly everybody has felt, it is conceded even by the President who vetoed the former bill, that the wage increases provided for in the vetoed bill and likewise in the

pending bill are just and that they ought to be enacted into law.

The amendment submitted by the Senator from Massachusetts [Mr. WALSH] providing for publicity of campaign expenses, I think, would meet with unanimous approval of this body. Those are good provisions; we should all like to have them enacted into law; but, Mr. President, are we justified in singling out, for instance, the people of the country who patronize the parcel post and saying to them, "You must bear the burden"? In order to give somebody else what they are entitled to, are we going to do an injustice to somebody else? Are we going to say to those who send parcels through the mail, "You must pay for the deficit caused by the carriage of second-class mail matter"? Are we going to say that though second-class mail matter is to blame for a large part of the deficit, we will decrease the rates that must be paid by second-class matter in some of the zones still lower than those they now pay, which are admitted already to be less than the cost to the Government to carry mail matter? Can we justify ourselves in adding a burden of \$20,000,000 upon those who patronize the parcel post in order to accomplish some good to those who are employed in the Post Office Department, and at the same time still further liberate second-class mail matter from the payment of the charges which they should contribute in keeping in operation the great Post Office Department?

Mr. President, I do not understand why we should take that view of it. I can not, for the life of me, understand why we should take that class of mail matter carried by the Post Office Department which causes the largest deficit and still further lower the rates on such matter, thus making the deficit larger, and then push it over on to somebody else.

Again, Mr. President, are we going to get the increased amount of revenue from second-class matter which has been prophesied here? The Postmaster General's letter, which was just read from the desk, discloses that, according to his estimate, there will be a decrease in revenue from a large portion of the second-class mail matter. The estimate of the Senator from New Hampshire is based, I take it, in part on his theory that some of the second-class mail matter which has been driven from the Post Office Department will return and make use of the department's facilities. I have great faith in the Senator's judgment, and if he were passing upon a case and had all the evidence before him, both pro and con, and I had to follow his judgment as to his conclusions, I would not very much fear that I should go wrong; but as he said about the Postmaster General's estimate, I can not follow him in his estimate. I do not believe that any of this class of mail matter will return to the Post Office Department, and I am not anxious that it should. If it can only be transported by the Post Office Department at a loss, and the publishers can transport it cheaper in some other way, bid them God speed and let them use the cheapest method of transportation possible. I do not understand why we should be anxious to get more business of a particular kind when we are losing money on it, anyway; or even if we were making money, if those who are publishing the newspapers and the periodicals can transport their publications more cheaply by some other method, we ought not to put a straw in their way. Let them carry on their business as cheaply as possible.

Mr. President, in my humble judgment, there will be no return to the Post Office Department of second-class mail matter. The periodicals that now go by freight across the country to be deposited in the post offices at various places will still continue to do so; it is the most economical way to do it; when it can be hauled in a freight train at a much less rate that is the way it will be hauled and that is the way it ought to be hauled. So we shall get no increase in that respect, as the Postmaster General has stated, and even if we should the increased cost of handling would absorb any increase of revenue which might thereby be obtained.

If we shall obliterate that item, omit it from our calculation, then we shall have a revenue coming from the second-class mail matter less than we now have. No Senator can justify himself in voting for a bill that will have that kind of result. Instead of increasing the revenue from second-class matter, I think, so far as the evidence which we have is concerned, it discloses the fact that we are going to get less revenue under the bill as it now stands than we get under the existing law; and hence that the deficit is going to be greater.

Can we justify ourselves now in putting the burden of making up the deficit on to the parcel post? I do not believe we ought to take any action in regard to the parcel post in the dark. That service is something which, as I said a while ago, came about from a long contest, a contest for years. It was established after that contest. No one denies the justifica-



tion for it now, and I would not want to take any action that would cripple it, although, as I previously stated, if upon a full and fair hearing it should be disclosed that the revenues ought to be increased or could be increased or the method of handling the service changed so as to make its administration more economical, I would favor such action. However, we have not light enough now to enable us to vote intelligently upon this proposition.

Senators, that being the condition, as is practically admitted by everybody, why should we not take that part of the bill which, after all, ought to have no connection with any other part—the part dealing with the increase of salaries—and act upon that intelligently? Put with it section 217, as I recall, which provides for an investigation of this whole question by a joint committee of the two Houses, and then, when the report of that joint committee shall come in, we can act intelligently upon all these other matters about which we are now groping in the dark.

Such a course ought to satisfy President Coolidge, believing as he does and as he has said he does, in increased salaries for the postal employees. The first step is to pass the bill and provide in it for the appointment of a joint committee to look into this matter and to ascertain the facts and figures so that we may legislate logically and intelligently. We can not enact good legislation unless we do that. Either we must make such an investigation or somebody else must discharge that duty. We must have the facts before we can legislate intelligently. That is conceded by those who are behind this bill, because they incorporated the provision for a joint committee in the bill and because they have provided that the new rates which are proposed shall be only temporary; that they shall last only for 10 months. That being conceded, why not proceed as we ordinarily would? Could anybody find fault with us? Is the President going to be so arbitrary with those who follow him blindly in this body as to require them to do an illogical and perhaps an unjust thing to millions of our people merely to satisfy an opinion or a whim?

In order merely to do justice to which it is conceded the employees of the Post Office Department are entitled, are we going to be compelled by presidential edict to do an injustice to a larger number of our people in the country by compelling them to pay the great bulk of the cost of the increased salaries? I do not believe that is reasonable; I do not believe that any President would demand it; and it seems to me Senators are very illogical when they say we must take such action in order to obviate a presidential veto.

If I believed that to be true, Mr. President, I would still follow the course I have suggested; but I can not believe that the President of the United States would be so unreasonable, even assuming that he has the power to do all that anybody has ever said that he could do, as to say we must jump in the dark here and impose a burden on Tom, Dick, or Harry without knowing whether or not it should be so imposed, and make them bear it in order to give certain Government employees just salaries. The first step which is conceded to be necessary in order to get the facts is to investigate the Post Office Department and ascertain where we can and where we ought to increase the postal revenues; to find out where the deficit really occurs, for even that is not a question in agreement here. That is what we must do. If we put that much in this bill, it seems to me it should be satisfactory to any reasonable mind or to any fair man. No man, whether he be President or not, has a right to ask any more. That much he has a right to ask, and when that is done we have performed our duty.

If a joint committee is not the proper instrumentality to secure this information, I have no objection to any other method or to any other method in addition to that, but we have not the information now and we have to have it in order logically and intelligently to legislate on this great question. We ought not to legislate until we do have it. Therefore, it seems to me this amendment ought to be agreed to.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The question is on the amendment of the Senator from Mississippi [Mr. HARRISON].

Mr. MOSES. I suggest the absence of a quorum.

Mr. OVERMAN. I was about to make the same suggestion.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Butler	Curtis	Fletcher
Bayard	Cameron	Dale	Frazier
Bingham	Capper	Dial	George
Borah	Caraway	Dill	Gerry
Brookhart	Copeland	Edge	Glass
Broussard	Couzens	Ferris	Gooding
Bruce	Cummins	Fess	Hale

Harrell	McKellar	Pepper	Sterling
Harris	McKinley	Phipps	Swanson
Harrison	McLean	Ralston	Trammell
Heflin	McNary	Reed, Pa.	Wadsworth
Howell	Mayfield	Sheppard	Walsh, Mass.
Johnson, Calif.	Means	Shields	Warren
Johnson, Minn.	Metcalf	Shipstead	Watson
Jones, N. Mex.	Moses	Shortridge	Weller
Jones, Wash.	Neely	Simmons	Wheeler
Kendrick	Norbeck	Smoot	Willis
Keyes	Norris	Spencer	
King	Odell	Stanfield	
McCormick	Overman	Stanley	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present. The question is on the amendment proposed by the Senator from Mississippi [Mr. HARRISON], on which the yeas and nays have been ordered. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). I transfer my pair with the Senator from Arkansas [Mr. ROBINSON] to the Senator from Wisconsin [Mr. LENROOT] and will vote. I vote "nay."

Mr. NORRIS (when Mr. LA FOLLETTE's name was called). I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is detained from the Senate on account of illness.

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Vermont [Mr. GREENE], and will vote. I vote "nay."

The roll call was concluded.

Mr. FRAZIER. I wish to announce that my colleague [Mr. LADD] is unavoidably detained. If he were present he would vote "yea."

Mr. BROUSSARD. I wish to announce the absence of my colleague [Mr. RANDELL] on official business. This announcement may stand for the day.

Mr. GERRY. I desire to announce that if the Senator from Arkansas [Mr. ROBINSON], the Senator from South Carolina [Mr. SMITH], and the Senator from Mississippi [Mr. STEPHENS] were present, they would all vote "yea."

Mr. JONES of New Mexico (after having voted in the affirmative). I have a general pair with the Senator from Maine [Mr. FERNALD]. I believe he has not voted. I transfer that pair to the Senator from Louisiana [Mr. RANDELL], and will allow my vote to stand.

Mr. STANLEY (after having voted in the affirmative). I have a general pair with the junior Senator from Kentucky [Mr. ERNST]. I transfer that pair to the Senator from Mississippi [Mr. STEPHENS], and will let my vote stand.

The result was announced—yeas 38, nays 39, as follows:

#### YEAS—38

Brookhart	Gerry	Jones, N. Mex.	Sheppard
Broussard	Glass	Kendrick	Shields
Bruce	Gooding	McKellar	Shipstead
Caraway	Harris	Mayfield	Simmons
Copeland	Harrison	Neely	Stanley
Dial	Heflin	Norbeck	Swanson
Fletcher	Howell	Norris	Trammell
Frazier	Johnson, Calif.	Overman	Walsh, Mass.
George	Johnson, Minn.	Ralston	Wheeler

#### NAYS—39

Ball	Dill	McKinley	Shortridge
Bayard	Edge	McLean	Smoot
Bingham	Ferris	McNary	Spencer
Borah	Fess	Means	Stanfield
Butler	Hale	Metcalf	Sterling
Cameron	Harrell	Moses	Wadsworth
Couzens	Jones, Wash.	Odell	Warren
Cummins	Keyes	Pepper	Watson
Curtis	King	Phipps	Willis
Dale	McCormick	Reed, Pa.	

#### NOT VOTING—21

Asburst	Fernald	Pittman	Underwood
Bursum	Greene	Ransdell	Walsh, Mont.
Capper	Ladd	Reed, Mo.	Weller
Edwards	La Follette	Robinson	
Elkins	Lenroot	Smith	
Ernst	Owen	Stephens	

So Mr. HARRISON's amendment was rejected.

Mr. SWANSON. Mr. President, after the action of the Senate on this amendment Senators can see exactly what the purpose of this bill is. Everybody concedes that these employees ought to have an increase of salary. The President has relented on that and recognized the justice of it, and all that he has required is that we shall provide a means of furnishing the money to pay the increase. What has the Senate decided as to where most of this money shall come from? That it shall come from fourth-class matter, parcel post. In other words, the Senate is willing to increase the salaries of the



postal clerks and postal employees provided the farmers of the country will furnish more than one-third of the money through increased rates on parcel post.

That is a gross injustice. Why stay here to try to get legislation to relieve the farmer, why call an extra session to relieve the farmer, when we put additional burdens on him every time we try to give something to some one else?

I was on the joint commission of the House and Senate which stayed here all summer to provide the means of establishing a parcel post. As the senior Senator from Nebraska [Mr. NORRIS] has well said, it was fought from beginning to end. The express companies and the railroad companies and the special interests fought the parcel post from start to finish. The Senate was represented on that joint commission by Senator Bourne, who at that time was chairman of the Post Office Committee, Senator Bristow, of Kansas, and myself. After six months of hearings we brought to the Senate a provision for the establishment of a parcel post as now provided. Every effort to increase its usefulness has been fought in this body.

Mr. KING. Mr. President, will the Senator yield?

Mr. SWANSON. I yield.

Mr. KING. The Senator states, as I understand him, that one-third of the increases will be borne by the farmers.

Mr. SWANSON. More than one-third.

Mr. KING. My recollection of statements repeatedly made on the floor of the Senate during the debate, now and in the past, is that only a small percentage, one and a fraction per cent, of parcel post, originated with the farmers, and about 7 or 8 per cent was delivered to the farmers.

Mr. SWANSON. That is true; but who pays it?

Mr. KING. So that the farmer would not be paying it all, as the Senator has said.

Mr. SWANSON. If a farmer, instead of taking a day to go to a little town in his county, will order what he wants by postal card, and the merchant sends it over by parcel post and saves the farmer a day in going to the town to buy what he wants, he gets the advantage of having his purchases sent to him instead of losing a day's work in going to get them.

Mr. NORBECK and Mr. GEORGE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield, and if so, to whom?

Mr. SWANSON. I yield to the Senator from South Dakota, as he rose first.

Mr. NORBECK. Mr. President, I wish to ask the distinguished Senator from Virginia whether he does not believe that these costs are carried on to the ultimate consumer; that business will pass them on to customers?

Mr. SWANSON. Everybody knows that is so.

Mr. NORBECK. Then, why say that \$20,000,000 goes to the farmers? Does not practically all of it ultimately reach them?

Mr. SWANSON. Twenty million dollars is a special burden on the parcel post. The farmers are not all the people in the country, but the farmers are practically the only people who use the parcel post and rural delivery.

Mr. NORBECK. But the others can protect themselves by passing the costs on. It is the customer who pays. If the laboring man can get some salary increase to protect him, he is taken care of, but if the farmer can not get an increase in the price of his products, then he is carrying the whole load, is he not?

Mr. SWANSON. Of course.

Mr. NORBECK. One more matter. Perhaps I misunderstood the attitude of the President. As I recall, the President's veto message addressed to the Congress stated that an investigation had been made by the Post Office Department that covered cities and towns of all sizes in the United States, and it was found that postal employees received higher salaries than others in like employment. I have seen no evidence that he has changed his opinion in that matter.

I suggest to the Senator from Virginia that the way to keep this burden from falling upon the farmer is to vote against the bill, and then he will be sure that the farmer will not get the burden. I had a good deal of pressure put on me from one of the cities in my State, a county seat, my correspondents insisting that seventeen or eighteen hundred dollars was not a living wage. So I telegraphed the county clerk up there to see what salaries were being paid to employees in the courthouse—and that is one of the largest counties in South Dakota. The reply came back that on an average they are paying \$1,056; and the highest salary paid is \$100 a month. Still they are asking us to raise the salaries of these seventeen or eighteen hundred dollar clerks about \$300 a year and to put the increases on the farmers, of course.

Mr. SWANSON. Now I yield to the Senator from Georgia.

Mr. GEORGE. Mr. President, I just wanted to say, in answer to the statement made by the Senator from Utah [Mr. KING], who has left the Chamber, that it has been often repeated here that only 1½ per cent of parcel post originates on rural routes. That is true according to the fact finding commission's report, and I take it that that is an accurate statement. It has been often stated that only about 9 per cent of the parcel-post packages were delivered on rural routes. But I have called attention once before, and I want to emphasize it now, to the fact that those two percentages combined do not represent the total service of parcel post to the farmers, because, as I stated—a statement which is borne out by the cost ascertainment report—44 per cent of all the money orders in the United States are sold at third and fourth class post offices, and the Post Office Department itself indicates its settled conviction that the majority of those money orders are purchased by farmers, men living on the rural routes and in the country, and represent business finally going through the postal system as parcel post. In other words, the mere number of packages actually collected on the rural routes and the mere number of packages actually delivered on the rural routes do not indicate, either separately or combined, the total service of parcel post to the American farmer. Mr. Stewart, of the Post Office Department, stated that it is the opinion of the best informed men in the service that approximately 35 per cent of all parcel post originates with or is delivered to the farmer.

Mr. SWANSON. Mr. President, what does that disclose? It is well for us to face the issue. People buy where they can buy the cheapest, and fourth-class matter, which has had a deficiency, in round numbers, of only \$7,000,000, will have it increased to twenty millions. In other words, fourth-class matter, in which parcel post is included, half of it originating with country people—farmers—and practically the other half of it with the laboring masses of the people, pays more than one-third of the salary increases provided under this bill for postal employees.

If the letter read by the Senator from Mississippi is correct, there is a reduction of rates on second-class matter. We hear no clamor from users of that class of mail. I would like to ask the Senator in charge of this bill if that statement by the Postmaster General is true, if there will be a reduction of rates rather than an increase on second-class matter?

Mr. MOSES. If the Senator from Virginia had been a little more constant in attendance, he would have learned that I have already twice said "no" in answer to that very question.

Mr. SWANSON. The Postmaster General is wrong?

Mr. MOSES. I have expressed that opinion.

Mr. SWANSON. In other words, then, you want to increase about \$3,000,000 the revenue on second-class matter. Now you want to pass a bill, in this situation, without investigation to find who would pay these increases of salaries to the postal employees, who, I think, are clearly entitled to the increases. As the Senator from Nebraska well said, in order to meet a political situation, in order to give the President an excuse for signing a bill to increase the salaries of these postal employees this ill-digested, ill-considered bill is to be passed and remain on the statute books for eight months. It would unsettle business. A great many businesses would be hurt and some destroyed in trying to readjust themselves to it. It is nothing in the world but a subterfuge to give an excuse for failing to pass a bill over the President's veto.

It can not be disputed that on fourth-class matter, the chief part of which is parcel post, from a deficit of seven millions you go to a surplus of thirteen millions, increasing \$20,000,000 on that class of business. The masses of the people, one-half the country people, one-half the laboring people in the cities, who use parcel post instead of special delivery, will bear the burden.

I say, the bill affects business enterprises which have been created under the present system, and it is not just to make those people pay more than one-third of the increases provided by this bill, which are to go to pay the salaries of the postal employees.

Mr. NORBECK. Mr. President, will the Senator allow me to interrupt him?

Mr. SWANSON. I yield.

Mr. NORBECK. What percentage of Virginia farmers would the Senator estimate get as good salaries as do the post office employees, even allowing for the advantage of living on a farm?

Mr. SWANSON. I am not prepared to say; but I think the average Virginia farmer would not get as much. Most of these postal employees live in cities, and consequently they have rent to pay, and have other expenses, different from those the farmer would have, and I have not heard any protest from



farmers against a proper increase in salaries. What I object to on behalf of the farmer is this, when you pay these salaries, a large proportion of which go to those who live in the cities, you tax the country people to raise the increased revenue, as usual, even conceding it is a just increase. Why should parcel post, why should fourth-class mail matter be taxed, and the burden ultimately put on that class of people?

Mr. NORBECK. In other words, we are giving one class \$300 a year at the expense of another class that is getting less.

Mr. SWANSON. Of course, they might be getting less, but in the city folks have to pay rent and incur other expenses, and I am not prepared to say—

Mr. NORBECK. The Senator is familiar with the report made of an extensive investigation by the Agricultural Department of pre-war conditions, which showed that the average farmer of the United States had an income of \$600 a year, of which \$200 was cash, and \$400 was the advantage of living on a farm. We will all agree that conditions have become worse since. Still, they propose to put this burden on the farmers.

Mr. SWANSON. The second objection to this increase is that it is put on a class of mail matter that is mostly used by the farmers.

Senators may vote for this bill. I know it is scheduled to go through. I can tell from the votes recorded on every issue which has come up that the bill will pass the Senate.

There is little clamor on account of it, because the people who will bear the burden can not be heard here. They have few papers representing them. They can not create sentiment here. But if this bill passes the Senate and the House, and these burdens are put where this bill attempts to place them, the injustice of it will be so glaring that it will not appeal to the spirit of fairness and justice of the American people; it will not be an act of legislation which will meet their approval.

I want simply to say in conclusion that I shall vote against the passage of this bill. First, I believe it was improper to originate a tax measure like this in the Senate. I believe it is unconstitutional. I believe it is contrary to the very principles of our Government to originate in the Senate a bill the main feature of which is to raise \$63,000,000 of revenue. I do not believe the House of Representatives will acquiesce in that practice. I believe it will send the bill back. If such a policy is to exist between the House and the Senate it will mean that in the future the taxing power of the Government will be transferred from the House of Representatives, as fixed by the Constitution, to the Senate of the United States.

The main purpose of this bill is to provide revenue to answer an objection presented by the President. It can not be defended. It is a subterfuge. The issue was precipitated because the President would not consent to increases of salaries unless the revenue were provided.

I believe we can devise better methods of raising the revenue than by putting one-third of the increase on fourth-class mail matter. I believe it can more justly be raised from other sources than by an imposition of these burdens on that class of matter.

I shall vote against the bill because I believe it jeopardizes parcel post, because it is an effort in behalf of those who have for years fought parcel post, with its advantages to the rural sections and the other sections, and people who have been blessed by it against extortionate express rates.

Under these circumstances I believe the right thing to do is to defeat this bill, or eliminate that provision of it which provides for an increase of postal rates, and if taxation must be provided to take care of these salaries, let the House of Representatives, which, under the Constitution, has the taxing power of the Government, amend it and send it back to us.

That is the constitutional way to do it. That is the fair way to do it. That is the just way to do it. Consequently when the bill comes to its final passage I shall vote against it.

Mr. MOSES. Mr. President, the discussion of this measure has at last reached the political or filibustering or silly stage. All the questions of constitutionality of one sort and another which the Senator from Virginia brings forward have been passed upon, and by an adequate majority the Senate has made its decision. I can not forbear, however, from calling the Senator's attention to the tremendous burden which he assumes the bill will lay upon the farmers of the country.

There are 30,000,000 people served by the rural free delivery routes in the United States. With the transfer of 4-ounce packages from the fourth to the third class, as provided by the bill as it now stands, the number of packages passing through the parcel post will be approximately 900,000,000 a year. The amount of business originating on the rural free

delivery routes and delivered on the rural free delivery routes is something like 10 per cent; in other words, 90,000,000 packages a year, upon which the burden will be 2 cents a package, or \$1,800,000 per year, which, divided among the 30,000,000 people living on the rural free delivery routes, means that the bowed back of each of the farmers of the country will be pressed down by the tremendous burden of 6 cents per year.

Mr. SWANSON. Did the Senator from New Hampshire hear the statement of the Senator from Georgia [Mr. GEORGE]?

Mr. McKELLAR. Mr. President, may I make a parliamentary inquiry? As I understand it, the section we are now considering has been reconsidered and is now before the Senate?

The PRESIDING OFFICER. The Chair understands the committee amendment is now before the Senate on reconsideration.

Mr. McKELLAR. Then I move, on page 44, line 8, to strike out "2 cents" and insert in lieu thereof "1 cent."

The PRESIDING OFFICER. The Senator from Tennessee moves an amendment, which will be stated.

The READING CLERK. On page 44, line 8, the Senator from Tennessee moves to strike out "2 cents" and insert "1 cent," making the service charge for each parcel of fourth-class matter 1 cent.

Mr. McKELLAR. Mr. President, I wish to state briefly my reason for proposing the amendment. According to the figures just given by the Senator from New Hampshire, there being 900,000,000 packages, at 1 cent each under the proposed amendment they would bring in \$9,000,000 per year. There is a loss, according to the report of the commission, of only \$7,000,000 per year. If that report is correct, and I believe it is substantially correct, then, if we adopt the amendment I have offered, the parcel post will pay its way and \$2,000,000 besides. I do not think we ought to burden the parcel post with any greater tax than is necessary to make it pay its own way.

Why should we put an additional burden upon the parcel post? We do not do it on any other class of mail matter, I believe, except first class. Letters are the only thing. There may be one other inconsequential class that brings more than it costs, but if my amendment is adopted and the charge is made 1 cent per package, instead of 2 cents, it will make the parcel post more than pay its own way. It seems to me that in the interest of fairness and equity and good legislation we ought to adopt the amendment and make the charge 1 cent instead of 2 cents.

Mr. SIMMONS. Mr. President, I want to ask the Senator from New Hampshire [Mr. MOSES] a question. Is the Senator's committee in possession of any estimate made by the Post Office Department as to the amount of revenue that will be derived from these several increases?

Mr. MOSES. Oh, yes.

Mr. SIMMONS. I do not recall that the Senator has filed that estimate.

Mr. MOSES. No. As I said earlier in the day, the bill is still in its amended stage, and until we know whether these amendments designed to emasculate the measure and defeat it are adopted I shall decline to make any estimate of the total amount of revenue to be raised.

Mr. SIMMONS. Yes; but the question I asked the Senator did not relate to the amount that would be raised by the amended bill. I ask if he had any estimate from the Post Office Department showing the amount of revenue that would be raised by reason of each one of the several increases proposed by the committee.

Mr. MOSES. The Senator wants to know if there is any estimate from the Post Office Department regarding the amount of revenue to be raised by the bill as amended by the subcommittee.

Mr. SIMMONS. Yes; and as reported to the Senate.

Mr. MOSES. That has been put in the RECORD several times, showing in round numbers about \$30,000,000.

Mr. SIMMONS. Does that estimate show what will be derived from each one of the increases?

Mr. MOSES. Yes; and that has been stated in a speech by the Senator from South Dakota [Mr. STERLING].

Mr. SIMMONS. Has the estimate itself been placed in the RECORD?

Mr. MOSES. It was contained in a speech of the Senator from South Dakota, and the table, I think, appears in his speech.

Mr. SWANSON. I understood the Senator had discarded the estimates made by the Post Office Department except where they agree with him.



Mr. MOSES. I would not say that. I am skeptical about a great many of them. I am glad to see the Senator from Tennessee is now so heartily in accord with what the Post Office Department said. He rarely has been during my service with him on the committee.

Mr. McKELLAR. Sometimes I am and sometimes I am not. Mr. SIMMONS. I understood the Senator from New Hampshire, in his first very illuminating statement on this matter, to indicate that his committee had received some estimates based upon the fact finding commission's report, but that the committee discarded their estimates and proceeded upon estimates which they themselves made. Am I correct about that?

Mr. MOSES. Speaking generally the Senator made a correct statement. However, what I said was this: I think that the Post Office Department brought in a detailed estimate of the amount of revenue to be raised by the increases in rates carried in the bill as originally introduced. In some of those cases the committee made no changes. Of course, where we made changes we had to make our own estimates because, the Senator will remember, the bill was reported on the 2d day of January. If the Senator from North Carolina is trying to get from the Senator from New Hampshire an indorsement of all the figures produced by the Post Office Department, let me say to him that his labor will be in vain.

Mr. SIMMONS. I am not trying to do anything except to get information. I understood that this morning a letter had come to the Senate from the Postmaster General.

Mr. MOSES. That is true.

Mr. SIMMONS. In which he expressed the opinion that the bill as now amended as to second-class mail matter would not increase the revenue from that source, but would diminish the revenue from that source.

Mr. MOSES. The Postmaster General said that.

Mr. SIMMONS. I understood from the Senator's first speech that the fact finding commission, which has addressed itself to the consideration of the very matter we are now discussing and the committee had differed. I was trying to find out and only trying to find out whether there was an authoritative statement from the Post Office Department giving the Senate information as to the amount of revenue estimated by them which would be realized from each of the several items which have been increased. If any such has been filed I have not been able to find it, and I would be thankful to the Senator if he would now refer me to it, because in the present state of the discussion that becomes exceedingly important.

Mr. MOSES. I do not see how it does become important to the Senator, since he said yesterday that he did not intend to vote for the bill, anyway.

Mr. SIMMONS. I did not say so.

Mr. MOSES. I beg the Senator's pardon, but I understood him to say so.

Mr. SIMMONS. I said that whether I would vote for the bill would depend upon the adoption of amendments that had not been acted upon at that time.

Mr. MOSES. In answer to the Senator's inquiry, the only statement that has come from the Post Office Department, so far as I know, was contained in the letter of the Postmaster General which was read at the desk this morning at the request of the Senator from Mississippi [Mr. HARRISON]. As to whether that is an authoritative statement I decline to pass judgment.

Mr. SIMMONS. The Senator is not referring to the letter of the Postmaster General?

Mr. MOSES. Yes; I am.

Mr. SIMMONS. Does the Senator question his competency and authority to make a statement with reference to a matter connected with the department of which he is the head?

Mr. MOSES. Oh, no; not his authority to make a statement, but I question the validity of some of the conclusions which he reaches, and I said so when the letter was read.

Mr. SIMMONS. I want to ask the Senator if he or his committee have made any investigations outside of the report of the fact finding commission and the report of the Post Office Department which would enable him or the committee to reach a satisfactory conclusion as to the effect upon postal revenues of these increases?

Mr. MOSES. Satisfactory to whom—to me?

Mr. SIMMONS. To the committee.

Mr. MOSES. Satisfactory to me, at any rate.

Mr. SIMMONS. And the Senator simply says to the Senate that according to his estimate and the estimate of his associates upon the subcommittee, the amount of revenue from the different increases proposed by the committee was placed at about \$50,000,000?

Mr. MOSES. No; it can not be stated quite as compactly as that.

The Post Office Department estimated that the bill as sent here from the department would raise about \$68,000,000. The subcommittee made certain changes in the rates, and the subcommittee, from such information as they possessed—and the committee had some information—estimated that the bill as amended by them would produce approximately \$50,000,000, though it might be a few millions more or it might be a few million dollars less. The Postmaster General in the letter to the Senator from Mississippi said that the bill as amended will produce, in round numbers, \$30,000,000. That is all the information I have, and I place it freely at the disposal of the Senator from North Carolina.

Mr. SIMMONS. I thank the Senator; but I think that we have reached a point in the discussion of the bill which makes it very important that the Senate should have some definite estimate by some source that is qualified to make an estimate as to what amount of revenue will probably be realized by the Government from each of the four classes of mail matter from the increased rates in these several classes. The Senator from New Hampshire suggests to me, in an aside, that I had questioned his capability. I do not mean to say that the Senator is not entirely capable of making such an estimate provided he were in possession of the facts upon which a reliable estimate could be made.

Mr. SWANSON. The Senator from New Hampshire has audaciously claimed that he is just that person.

Mr. SIMMONS. I rather think so. At any rate, the minds of Senators, if I understand the situation, are in a state of confusion and uncertainty and doubt as to what would probably be the amount of revenue reasonably to be expected, either under the bill as reported by the committee or under the bill as amended by the Senate.

Mr. MOSES. May I make an appeal to the Senator from North Carolina?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. SIMMONS. I wish to say, if the Senator will pardon me for just a minute, that we have never, since I have been here, entered upon the consideration of any tariff measure or of any revenue measure or any measure levying taxes without the committee in charge of the measure presenting to the Senate at the time a detailed statement made, not by itself but by the Treasury Department, of the amount of revenue that might be expected from the various and sundry taxes and increases proposed. And again, after action on the various amendments and before final action on the bill, it has been the custom to file the revised estimates made by the experts of the department, showing what would be the effect upon the original estimate of the amendments made by the Senate. The Senator says there was a general estimate in this instance presented by the Senator from South Dakota in his opening speech. I assume that is true, though it escaped me, but no specific estimate from the Post Office Department in reference to this bill as reported or as amended has been made to the Senate, and none is on file; neither have we been able to get any information from the committee than such as is manifestly nothing more than a mere guess.

Mr. SWANSON. Mr. President, will the Senator from North Carolina yield to me for a moment?

Mr. SIMMONS. Yes.

Mr. SWANSON. As I understood from the statement of the Senator from New Hampshire [Mr. MOSES], the estimate of the Post Office Department is that the bill which is now before the Senate would yield about \$30,000,000.

Mr. SIMMONS. That is what I thought; but the Senator from New Hampshire now says \$50,000,000.

Mr. SWANSON. Of course, that is merely the opinion, that is the guess, of the Senator from New Hampshire.

Mr. SIMMONS. Now, the Senator from Virginia says the estimate of the Post Office Department is that the yield would be \$30,000,000. The Senator from New Hampshire at one time said the Post Office Department estimated that the bill would yield \$66,000,000.

Mr. SWANSON. That was the bill as originally introduced by the Senator from South Dakota [Mr. STERLING]. I should like to have the Senator from New Hampshire say whether or not I quoted him correctly. I understood the Senator from New Hampshire to say a short while ago that the Post Office Department estimated that this bill as it now stands would yield an increase of about \$30,000,000 in revenue?

Mr. MOSES. Yes.



Mr. SWANSON. But then, as I understand further, if the Senator from North Carolina [Mr. SIMMONS] will indulge me for a moment, he also stated that \$20,000,000 of that \$30,000,000 will come from fourth-class mail matter?

Mr. MOSES. Oh, no, Mr. President.

Mr. SWANSON. How much is expected to be raised from fourth-class mail matter if the bill shall become a law as it is framed up to this time?

Mr. MOSES. About \$20,000,000.

Mr. SWANSON. That is on fourth-class mail matter?

Mr. MOSES. Yes.

Mr. SWANSON. That statement being true, if the Post Office Department is correct that the increase of revenue will be \$30,000,000—

Mr. MOSES. No.

Mr. SWANSON. Then the Senator was mistaken in his estimate?

Mr. MOSES. No. The estimate of the Post Office Department was made before the adoption on yesterday of the amendment with reference to fourth-class mail matter. As I explained to the Senate yesterday afternoon, the printed bill was erroneous and an amendment was submitted which corrected the error. Now, as the bill stands for the consideration of the Senate, I do not know what it would raise, for I have never figured it out. The Post Office Department originally figured that we would get something like a million dollars—

Mr. SWANSON. A million dollars out of what?

Mr. MOSES. Out of fourth-class mail matter under the erroneous rates as printed in the bill. As the committee intended to introduce them and under the rates which the Senate adopted yesterday, I will say again, although I suppose the Senator from Virginia, like the Senator from New York, wants me to say it over and over again, \$20,000,000 a year, in round numbers, is the estimate.

Mr. SWANSON. That is from fourth-class matter?

Mr. MOSES. Yes; from fourth-class matter.

Mr. SWANSON. Then, if \$20,000,000 is to be obtained from that source, what is the estimate of the department for the residue?

Mr. MOSES. I do not understand the Senator's question.

Mr. SWANSON. I say, if the department estimated a total increase of \$30,000,000, but did not estimate that the rates on fourth-class mail matter would yield \$20,000,000, what would be the present estimate of the department of the aggregate?

Mr. MOSES. What would the department's figures for the entire bill be?

Mr. SWANSON. The Senator said the department figured that about a million dollars would be derived from the parcel-post rates.

Mr. MOSES. As I remember; yes.

Mr. SWANSON. On fourth-class mail matter?

Mr. MOSES. Yes.

Mr. SWANSON. And \$30,000,000 for the entire bill?

Mr. MOSES. Yes.

Mr. SWANSON. Then, if \$20,000,000 will be derived from the increased rates on fourth-class mail matter, the aggregate would be nearly \$50,000,000 under the department's own figures, would it not?

Mr. MOSES. That is what I have said.

Mr. SWANSON. I did not hear the Senator say it.

Mr. MOSES. I did not say that was the department's estimate.

Mr. SWANSON. The Senator has a way of talking to himself.

Mr. MOSES. I did not say they were the department's own figures, because that did not make much difference to me. I said I estimated that this bill would produce something like \$50,000,000—a few million dollars one way or the other; I can not say.

Mr. SWANSON. From what item, as the bill now stands, does the Senator get the other \$30,000,000?

Mr. MOSES. From all the other items.

Mr. SWANSON. Could the Senator give the Senate an idea as to that?

Mr. MOSES. I intend to do so when the bill shall have passed the amendment stage, but I do not intend now to try to make any detailed estimate of what the bill will produce until the amendment stage has been passed. For instance, if the amendment now proposed should be agreed to, it would take \$9,000,000 out of the revenue; and the taking of \$9,000,000 out of the revenue, I want to say to any Senator interested in the bill, will be fatal to the bill.

Mr. SIMMONS. That is exactly what I wanted to ascertain—whether it was the purpose of the Senator in charge of this bill before we finally vote upon it to file an estimate of

the amount of revenue that will be realized from the bill as amended before we are required to act upon it. I understand the Senator now to say that that is his purpose, but the Senator said he could not do that until after we have passed the amendment stage.

Mr. MOSES. If the amendment now proposed shall not be agreed to, if the Senate will refrain from biting this juicy morsel out of the body of this bill, it is my opinion that the bill will raise approximately \$50,000,000.

Mr. SIMMONS. Oh, the Senator is not giving us anything except a general statement based upon his own opinion.

Mr. MOSES. I am afraid the Senator will have to be content with that for the present.

Mr. SIMMONS. He is not giving us an estimate made by experts or official authority of the Post Office Department and based on official data or experience in dealing with these matters.

Mr. President, the only rate that is imposed in this bill that will yield a definitely certain revenue the amount of which can be easily calculated by a layman is that upon parcel-post packages.

Mr. MOSES. And first-class mail.

Mr. SIMMONS. And perhaps first-class mail, as the Senator says. Given the number of parcel-post packages that pass through the mail, it is a mere mathematical calculation as to what the increased rates upon fourth-class mail matter will produce. If there are 1,000,000,000 packages, and 2 cents is added to the cost of transmitting each package, we know that the bill will raise from that source \$20,000,000.

Mr. MOSES. Oh, no.

Mr. SIMMONS. Well, I am giving the statement of the Senator from Mississippi [Mr. HARRISON], and I suppose he probably had the information as to the number of parcels handled and had made the calculation before he made the statement.

Mr. MOSES. I will not attempt to correct the Senator from Mississippi.

Mr. SIMMONS. The Senator has trouble when he does undertake to do so sometimes.

Mr. MOSES. Not in dealing with facts.

Mr. SIMMONS. As he also has trouble in dealing with some other Senators. The Senator from Mississippi is generally fairly accurate in his statements.

But whether the amount is \$20,000,000 or \$18,000,000, the point I am making is that we know as a mathematical calculation, because the number of parcel-post packages passing through the mails can be readily, I assume, ascertained, and there is, I presume, no serious dispute as to the approximate number of these parcels.

Mr. MOSES. Oh, yes, there is.

Mr. SIMMONS. The Senator a little while ago said the number was something like 900,000,000.

Mr. MOSES. Approximately.

Mr. SIMMONS. Very well, approximately. The Senator from Mississippi estimated the number to be 1,000,000,000. That is the only difference between them. It is the difference probably between \$18,000,000 and \$20,000,000, but we know with fair accuracy about the amount of revenue that would be realized from this additional tax placed upon the parcels post. We do not, however, know that with reference to many other increases made in this bill, with possible exception of first-class matter.

Mr. MOSES. If the Senator will pardon me—

Mr. SIMMONS. It is a very real controversy here to-day as to whether the amount of revenue that will be realized from second-class matter is increased as a result of the Senate amendment or whether it is reduced; that is to say, whether we will raise more money under the rates proposed by this bill as now amended on second-class mail matter than we are now raising under the present law on second-class postal matter. The Senator from New Hampshire estimates that we will raise about \$3,000,000 more. That is merely his estimate or guess. The Post Office Department, as I understand it, estimates that the bill as amended will not raise as much from fourth-class mail matter, but that so raised will be between \$600,000 and \$700,000 less than under the present law. So, Mr. President, the Senate is absolutely in the dark as to the effect of the rates in this bill as now amended upon second-class mail matter.

I think the same situation of uncertainty exists as to other rates, but it is definitely certain that as to the parcel post the users of that great service will have to pay, if this bill shall be passed, between eighteen and twenty million dollars, which is three times as great as the deficit in the postal revenues on account of the Parcel Post Service.



So we are confronted with this situation: According to the testimony that has been adduced, it is doubtful whether that class of mail which the Government is now carrying profitably at a loss of \$74,000,000 will under this bill as now written contribute a single, solitary cent toward the payment of the increased salaries of postal employees, while the patrons of the Parcel Post Service, who are generally poor people, who are, generally speaking, the common people of the country, will have to pay three times as much as the deficit estimated to result from that service under the present law.

Mr. MOSES rose.

Mr. SIMMONS. If the Senator from New Hampshire wishes to interrupt me, I yield to him.

Mr. MOSES. I wish to ask the Senator how he voted yesterday on the various proposals to reduce the rates?

Mr. SIMMONS. I voted to reduce the rates; I am in favor of the postal rates staying exactly where they are to-day so far as this bill is concerned. If a proper bill is presented and it is shown any of these rates are too low, I will vote to increase them. But I am opposed, Mr. President, to taxing one class of the people of this country for the service that they receive from a department of the Government for the purpose of paying increased salaries of the employees in that department. I insist that if we are not paying the employees in any department of the Government a sufficient salary the remedy for that is not to impose a tax upon the people who are the beneficiaries of that service, but it is the clear duty of the Government to pay those increased salaries in that department, as it pays increased salaries in any other department and in every other department of the Government, out of the general funds of the Treasury.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. SIMMONS. Yes.

Mr. McKELLAR. The Senator will recall that it is the theory of those who are in charge of the bill that this is not a tax bill, but a bill providing a charge for a service.

Mr. SIMMONS. Oh, I know that. We thrashed that out a day or so ago.

Mr. McKELLAR. The charge that would pay for the service of parcel post would be well taken care of by an additional \$7,000,000; but, according to the Senator from New Hampshire, he is putting on a tax of an additional \$13,000,000 over and above what it costs for the charge. It is a tax bill and not a service bill at all.

Mr. SIMMONS. That is exactly the point I have been making. I shall vote for the amendment offered by the Senator from Tennessee, because, while it does not do full justice, it mitigates the wrong which this bill will inflict upon the users of the parcel post.

Mr. President, I rose simply for the purpose of trying to see if there was not some way by which we could get, before we vote, some definite and reliable information as to how much each one of the increases proposed in the bill as amended will yield, so that we may see whether there is equality in the allocation and distribution of these increases. All that is made certain here now is that one service is going to pay three times as much as the deficit in that service, while another service which is a bigger service, probably is going to pay less, and not only less, but it is going to pay practically nothing to offset the big deficit in that branch of the service. According to one estimate, it will pay only \$3,000,000 out of a deficit of \$74,000,000. According to another estimate, instead of paying more than under the present law that branch will pay less, and the deficit instead of being less will be more than now.

With those examples before us, I think it behooves us before we vote upon this matter to ask the committee to furnish the Senate, according to the usual custom in such matters, some definite, reliable, official information, and not the mere statement of the committee or some of its members.

Whenever I was managing a revenue bill or a tariff bill while I was chairman of the Finance Committee, I never asked the Senate to accept my estimate with regard to those matters, or to accept the committee's estimate with regard to them. I realized then, as I do now, that the Treasury Department is the depository of the data, and that in it are the experts that are trained in making estimates of that sort; and I suppose the same thing is true in the Post Office Department. The data upon which estimates can be made are there. The Post Office Department necessarily, dealing as it does with these large matters, must have a corps of experts able to estimate the amount likely to be realized from the imposition of a tax; and we are entitled to an estimate from that department—not only a general blanket estimate, but we are entitled to a

specific estimate, so before we take final action we may know what the result any emendation will make upon the amount of revenue expected to be realized therefrom.

So far as I am concerned, I am not willing in a matter of this sort to take the statement of the distinguished Senator from New Hampshire [Mr. Moses], as much as I esteem him. I think he is ordinarily accurate in reference to matters that are within his knowledge, but this is outside and beyond the scope of the knowledge and experience of the Senator. In order to aid us and guide us in legislating with reference to a matter of such vital importance to the people of this country and to the Nation we need information of a verified character, carrying with it such weight as to accuracy as to insure its reliability. We are entitled to have that information come from the original sources of information, and from men who, by reason of their training and their experience in these matters, are able to make a fair and reasonably accurate estimate.

To legislate, Mr. President, in the state of uncertainty disclosed by the admissions made upon this floor with reference to this whole matter is dangerous. Right upon the threshold of our discussion of the matter in this body the chairman of the subcommittee admitted upon the floor of the Senate that the committee's investigations had been superficial; that they were not satisfactory. He admitted that the subcommittee had thrown overboard the estimates of the cost-ascertainment commission, a commission composed of experts, supposedly, and created for the distinct purpose of investigating this matter. Their report and their findings were summarily thrown overboard, and for these findings were substituted the impressions—and they amount to nothing more than the impressions—of members of the committee or its subcommittee.

Those were the first two things that threw doubt upon the statements or so-called estimates of the Senators in charge of the bill and made the basis upon which we are about to legislate so uncertain and nebulous. Moreover, Mr. President, this uncertainty is apparent in the very language of the bill, in the section of the bill which provides that it shall be of temporary duration, that it shall expire in February of next year, that it shall live only one year at best. This manifest confession of uncertainty and doubt as to its justice of these increased charges against the users of the mails is accentuated by the section of the bill providing for a commission to begin investigations into postal rates immediately after this session of Congress adjourns, and make its report with appropriate recommendations to the next session of Congress with the view of advising as to whether the rates now about to be actually imposed are just and fair and should be made permanent. In other words, we are asked to pass a temporary bill and have it go into effect, however wrongful it may be; however unjust and oppressive to certain interests it may be; and while it is in effect we provide for an official investigation to ascertain and decide whether it is a just and wise legislation.

Mr. BORAH. Mr. President—

Mr. SIMMONS. I yield to the Senator from Idaho.

Mr. BORAH. There is no particular uncertainty about the expenditure, the cost which will be incurred under the bill.

Mr. SIMMONS. No; not the expenditure of the amount that will be realized from the rates.

Mr. BORAH. That is what the bill is for.

Mr. SIMMONS. That is what the bill is for, but we do not know whether it will raise too much or too little. But the main thing is, if the Senator will pardon me, that we do not know now whether or not the bill allocates these increases to overcome the alleged deficits in the four branches of the Postal Service in a just and fair way. We do know that as to the parcel post it allocates them so as to require that service to pay three times as much as the Government now loses. We know that.

Mr. BORAH. Mr. President, as the situation presents itself to me, it looks as if there had been imposed upon this committee an almost impossible task. At the last session we passed a bill providing for the increase of salaries of the postal employees, and it became largely a political proposition. Therefore when we came back here we were called upon out of the political exigency which seemed to exist to pay these men, and we were called on also to raise the funds with which to pay them. The committee was required to go to work and in a few weeks deal with one of the most complex and complicated subjects possible and bring out a bill here which in a measure would get by the situation in which we found ourselves. I think that in all probability the committee has done as well as it could have done under the circumstances, but it is just one of those things in which we are legislating concerning a very difficult matter under the political lash.



Mr. SIMMONS. Yes, Mr. President. I want to say to the Senator from Idaho that one of the first things they seem to have done was to scrap most of the data furnished them by the cost-ascertainment commission and act upon their own judgment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. McKellar] to the committee amendment.

Mr. MOSES. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Ernst	Keyes	Reed, Pa.
Bayard	Fernald	King	Sheppard
Bingham	Ferris	McCormick	Shields
Borah	Fess	McKellar	Shipstead
Brookhart	Fletcher	McKinley	Simmons
Broussard	Frazier	McLean	Smoot
Bruce	Gerry	McNary	Spencer
Bursum	Glass	Mayfield	Stanfield
Butler	Gooding	Means	Stanley
Cameron	Hale	Metcalf	Sterling
Capper	Harrell	Moses	Swanson
Caraway	Harris	Neely	Trammell
Copeland	Harrison	Norbeck	Underwood
Couzens	Heflin	Norris	Wadsworth
Cummins	Howell	Oddie	Walsh, Mass.
Curtis	Johnson, Calif.	Overman	Warren
Dale	Johnson, Minn.	Pepper	Watson
Dial	Jones, N. Mex.	Phipps	Wheeler
Dill	Jones, Wash.	Ralston	Willis
Edge	Kendrick	Reed, Mo.	

Mr. CURTIS. I was requested to announce the unavoidable absence of the Senator from Georgia [Mr. GEORGE].

The PRESIDENT pro tempore. Seventy-nine Senators have answered to the roll call. There is a quorum present.

Mr. McKELLAR. I ask for the yeas and nays on my amendment to the amendment of the committee.

The yeas and nays were ordered.

Mr. WALSH of Massachusetts. Before the vote is taken, Mr. President, I should like to ask the Senator from Tennessee, the maker of the pending motion, some questions. They may have been answered during the debate, but I think all Senators now present have not heard the debate and do not possess the information sought by these questions.

First, I should like to know the present annual deficit sustained by the Government by reason of its engagement in the parcel-post business.

Mr. McKELLAR. It is a trifle less than \$7,000,000 per year.

Mr. WALSH of Massachusetts. Next, I should like to know the estimated increase in revenue to the Government if the rate provisions of the pending bill are enacted into law?

Mr. McKELLAR. From eighteen to twenty million dollars upon parcel post.

Mr. WALSH of Massachusetts. What will be the estimated increase in income to the Government from the amendment modifying the parcel-post rates now in the bill and offered by the Senator from Tennessee?

Mr. McKELLAR. From nine to ten million dollars, so that the parcel post will bring in more than the cost of carrying it if my amendment shall be adopted.

Mr. WALSH of Massachusetts. In other words, it is agreed by all estimates that if the Senator's amendment is adopted there will be \$2,000,000 more revenue from the parcel post than is necessary to meet the cost to the Government of its parcel-post business.

Mr. McKELLAR. At least \$2,000,000 more.

Mr. WALSH of Massachusetts. I shall refuse to vote for higher rates upon parcel-post postal business than are necessary to meet the present deficit to the Government in this branch of the postal business. Therefore I shall vote for the lower rate named in the amendment of the Senator from Tennessee.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the Senator from Tennessee to the committee amendment, upon which the yeas and nays have been ordered.

The reading clerk proceeded to call the roll.

Mr. JONES of New Mexico (when his name was called). Making the same transfer of my pair as on the previous vote, I vote "yea."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Vermont [Mr. GREENE] and vote "nay."

The roll call was concluded.

Mr. GERRY. I desire to announce that the senior Senator from Arkansas [Mr. ROBINSON] and the senior Senator from

South Carolina [Mr. SMITH] are necessarily absent. If present, they would vote "yea."

Mr. CURTIS (after having voted in the negative). I transfer my general pair with the senior Senator from Arkansas [Mr. ROBINSON] to the junior Senator from Wisconsin [Mr. LENROOT] and permit my vote to stand.

Mr. HARRIS. My colleague [Mr. GEORGE] is absent on business of the Senate.

The result was announced—yeas 40, nays 39, as follows:

#### YEAS—40

Brookhart	Gerry	Kendrick	Shields
Broussard	Glass	McKellar	Shipstead
Bruce	Gooding	Mayfield	Simmons
Caraway	Harris	Neely	Stanfield
Copeland	Harrison	Norbeck	Stanley
Couzens	Heflin	Norris	Swanson
Dial	Howell	Overman	Trammell
Ferris	Johnson, Calif.	Ralston	Underwood
Fletcher	Johnson, Minn.	Reed, Mo.	Walsh, Mass.
Frazier	Jones, N. Mex.	Sheppard	Wheeler

#### NAYS—39

Ball	Dill	McCormick	Reed, Pa.
Bayard	Edge	McKinley	Shortridge
Bingham	Ernst	McLean	Smoot
Borah	Fernald	McNary	Spencer
Bursum	Fess	Means	Sterling
Butler	Hale	Metcalf	Wadsworth
Cameron	Harrell	Moses	Warren
Cummins	Jones, Wash.	Oddie	Watson
Curtis	Keyes	Pepper	Willis
Dale	King	Phipps	

#### NOT VOTING—17

Ashurst	Greene	Pittman	Walsh, Mont.
Capper	Ladd	Ransdell	Weller
Edwards	La Follette	Robinson	
Elkins	Lenroot	Smith	
George	Owen	Stephens	

So Mr. McKELLAR's amendment to the amendment was agreed to.

Mr. MOSES. I wish to give notice that I shall ask for a separate vote on this amendment in the Senate.

The PRESIDENT pro tempore. The question now is, Shall the committee amendment as amended be agreed to?

The amendment as amended was agreed to.

Mr. FRAZIER. Mr. President, I wish to offer an amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The READING CLERK. In section 209, on page 47, the Senator from North Dakota proposes to strike out all of lines 19, 20, 21, and 22, and in line 18 to strike out "\$2.50" and insert "\$10."

Mr. FRAZIER. Mr. President, this would make the provision of the bill as to money orders read:

For orders not exceeding \$10, 5 cents.

This would undoubtedly mean quite an increase in the revenue from the sale of money orders over what the present rate would bring. Under the present system the rate on money orders not exceeding \$2.50 is 3 cents; on money orders not exceeding \$5, 5 cents, and so on. But in third and fourth class post offices the postmasters are allowed 3 cents for each money order they issue, that being a part of their salaries. Under that system, of course, there is no revenue to the Government in the third and fourth class post offices from the sale of money orders costing 3 cents. This would provide a rate of 5 cents for all money orders up to \$10.

It seems to me that as it stands the bill would drive the buyers of money orders away from the post offices and would influence people to go to the banks and buy bank drafts, thereby decreasing the revenue from the sale of money orders.

It is another case where the farmers, especially the people living in the rural districts, will have an additional burden placed upon them by an increase in the cost of money orders, especially in the lower amounts. It is the farmers who send the bulk of the money orders in the lesser amounts, under \$10, I believe. It seems to me it will be only fair to have a minimum charge of 5 cents for any amount up to \$10.

Mr. STERLING. Mr. President, the amendment proposed by the Senator from North Dakota would bring the rates on money orders down much lower than they are at the present time, and that, too, in a bill by which we propose to increase somewhat the revenue. Under the present law and regulations, on money orders not exceeding \$2.50, the rate is 3 cents. On money orders exceeding \$2.50 and not exceeding \$5, the rate is 5 cents; and the bill proposes an increase to 7 cents. On money orders exceeding \$5, but not exceeding \$10, the present rate is 8 cents, and the proposed rate is 10 cents, and so on in proportion throughout the money orders up to the sum of \$100.

In the interest of the success of the bill I hope that the amendment will not prevail. It is estimated by the Post Office Department that something over \$13,000,000 will be realized



out of the charges for money orders, out of collect on delivery charges, out of registered mail, and so forth, by some increase in rates. The bill does not increase these rates over the estimate of the Post Office Department, leaving them exactly the same as estimated by that department for the purpose of raising the necessary amount with which to pay the increased salaries of the employees.

I do not think that the rates are excessive at all, and I do not believe they will bear hard upon the particular class to which the Senator from North Dakota refers. I think on investigation it will be found that most of the money orders in the smaller amounts even are purchased by the larger enterprises, and comparatively few of them, rather than by farmers and individuals scattered throughout the country. I hope the rates will be allowed to stand.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the Senator from North Dakota [Mr. FRAZIER].

The amendment was rejected.

Mr. HARRISON. I desire to serve notice that when the bill is in the Senate I shall move to strike out subsection (b) of section 208 on page 44.

Mr. HOWELL. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Nebraska offers an amendment, which will be stated.

The READING CLERK. Add a new section, as follows:

SEC. 217(b). The Postmaster General shall be, and he is hereby, authorized and directed to provide an additional form and series of postage stamps to be known as franking stamps, which shall hereafter be affixed to all official and other mail now entitled to the franking privilege, and in the same amount or amounts as in the case of mail matter not entitled to free delivery. Such stamps shall be delivered, upon proper receipt therefor, to officials and others entitled to the franking privilege, without charge.

Mr. HOWELL. Mr. President, it is important that Congress and the Government should know exactly what are the expenses of the franking privilege in order that there may be economy in its use. By taking such a course the various departments will economize as far as possible in the use of the stamps. This was found to be true in the case of the District of Columbia, which prior to 1907, I believe, was entitled to the franking privilege. That privilege was then rescinded and the result has been that the mail sent out by the District of Columbia as official has much decreased.

This is a public utility, and if everybody pays what is proper and right no one will pay too much. The Government should contribute for the service rendered to the Government just the same as any other interest. At the present time we have no positive means of knowing what is the cost of the carrying of the mails due to the franking privilege. If we had the information it would enable the Government to recognize its liability, and, as I have pointed out, would result in economy in the use of the franking privilege. Therefore it seems to me that it is important, if we want to conduct the post office as a business enterprise—and we should look upon it in that light only—that we should know what the transactions are in detail, and this is one method that will make clear the cost of certain privileges that are of importance so far as the cost of carrying the mail is concerned.

Mr. MOSES. Mr. President, the question of the franking stamp is one that has often been before the Committee on Post Offices and Post Roads. It has been discussed at length and in detail and the committee has never thought it expedient to institute that service in the Post Office Department. The whole question of penalty and franked mail, however, does present a very grave problem in the Postal Service and one to which attention should be given. Necessarily it is one of the problems which the special subcommittee of investigation must take up and upon which that committee must reach some conclusion.

The feeling in the Committee on Post Offices and Post Roads when the matter has been under discussion has been that a preferable method of dealing with the question is to establish some system of bookkeeping entries whereby the Post Office Department should be able to receive proper credit for the service which is rendered to various other executive departments of the Government. In principle I can enter no serious objection to the amendment proposed by the Senator from Nebraska, but in view of the fact that the whole question will be taken up, and very soon, by the special joint subcommittee which is to be created under the terms of the bill, I hope the amendment will be disagreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. HOWELL].

The amendment was rejected.

The PRESIDENT pro tempore. The bill is still in Committee of the Whole and open to further amendment. If no further amendment is proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. Two amendments are to receive a separate vote in the Senate, one reservation made by the Senator from New Hampshire [Mr. MOSES] and the other the amendment which the Senator from Mississippi [Mr. HARRISON] proposed to amend.

Mr. MOSES. I withdraw my request for a separate vote on the amendment of the Senator from Tennessee [Mr. McKELLAR] to the committee amendment.

The PRESIDENT pro tempore. The Senator from Mississippi gave notice that he would renew his amendment in the Senate. Without objection, all the amendments made as in Committee of the Whole with the exception of the amendment which the Senator from Tennessee proposes to amend, will be concurred in in the Senate. The question now is upon agreeing to the amendment of the Senator from Mississippi [Mr. HARRISON] to the amendment made as in Committee of the Whole, which will be stated.

The READING CLERK. Strike out the first paragraph of subsection (b) of section 208 as amended, reading as follows:

(b) That on fourth-class matter the rate of postage shall be by the pound as established by, and in conformity with, the act of August 24, 1912, and in addition thereto there shall be a service charge of 2 cents for each parcel, except upon parcels or packages collected on rural-delivery routes, to be prepaid by postage stamps affixed thereto, or as otherwise prescribed by the regulations of the Postmaster General.

And insert in lieu thereof:

(b) That on fourth-class matter the rate of postage shall be by the pound, the postage in all cases to be prepaid by postage stamps affixed thereto or as otherwise prescribed by regulations of the Postmaster General.

Mr. HARRISON. Mr. President, does the Senator from New Hampshire expect to get a final vote on the bill to-day?

Mr. MOSES. It all depends on how talkative Senators are on the other side of the Chamber.

Mr. HARRISON. I was just wondering if the Senator would not allow the bill to go over under an agreement that we should vote at a certain time to-morrow?

Mr. MOSES. We are so near a final vote on the bill that I think we had better go on and dispose of it.

Mr. HARRISON. The reason why I make the suggestion is that the vote has been very close on the proposition. There was a difference of only 3 votes on my amendment, and there are several Senators who are absent who probably will be here to-morrow. It is a very important matter, and I hope the Senator will let it go over.

Mr. MOSES. No; I can not do so. Even if the bill is further mutilated I can not agree to that course. I think we should have a vote.

Mr. HARRISON. I desire to occupy the Senate only for a short time. The Senator from New Hampshire [Mr. MOSES], in a speech while the bill was in Committee of the Whole, said that we had reached the "political, filibustering, and silly stage." I do not know what prompted the Senator from New Hampshire to say that. There has been no politics in this matter that I have seen. I am sure no one else except the Senator from New Hampshire has. I had been in hopes that I could vote for the bill. I shall not vote for it, however, if the \$10,000,000 revenue is provided for as it is now proposed to be raised from the parcel post. To say that it is silly is merely because some of us propose to try to keep the burden from being placed on the farmers and to have it placed somewhere else. If that is the Senator's idea, all right! I am glad to know the Senator's definition of it. I am glad I can be classed among the silly ones of the Senate.

There has been no filibustering about it, and there will not be any. Senators on this side of the aisle have cooperated with Senators on the other side of the aisle in trying to expedite public business and pass the general supply bills. We have delayed in no respect, but, on the contrary, have cooperated with you even with this legislative monstrosity that nobody believes in. There is no Senator here who believes that it will ever become a law.



It is commonly rumored that as soon as the bill shall have passed the Senate and reached the House of Representatives one of the influential Members of that body will move that it be rejected, and will then introduce a similar bill in the House, at the same time calling attention to the fact that the Senate has passed an unconstitutional measure. That fact has come to the attention of Senators on the other side; it has been published in the press. The House would be acting very properly if it should take that course. Its Members would be raising themselves in the estimation of the people by refusing to put through a proposition like this, which shows upon the part of the Senators who are trying to foist it on the country a lack of courage.

Senators are talking here of raising \$68,000,000 in revenue, but although there is a deficit of \$74,000,000 created by the handling of second-class mail matter those who favor the pending measure refuse to provide for reducing any of that deficit from the second-class mail matter. On the contrary, the proposal is to reduce rates for second-class mail matter still further to the extent of \$640,000. Of course, the Senator from New Hampshire says that that is not true, that the provisions of the bill would increase revenue derived from second-class mail matter by \$3,000,000; but I answered him by producing and having read, as it was read, a letter from the Postmaster General of his own party, which states that there will be a further deficit created of \$640,000.

If Senators on the other side of the Chamber wish to admit that their own department is so inefficient that they would rather believe the Senator from New Hampshire than to believe the head of the Post Office Department, then, well and good, but their own Postmaster General makes the statement which I have just quoted.

I have great respect not only for the ability and integrity of the Postmaster General but I also have great respect for the character and ability of the men under him and who are furnishing the facts on which he writes this letter. That is what the Senator's own Postmaster General has stated in this letter, which was written as late as noon to-day; that this proposed legislation will reduce the rates on second-class mail matter, namely, the great newspapers and periodicals of the country, to the extent of \$640,000. According to the report, there is a deficit of \$74,000,000 from second-class mail matter alone, and yet when that might be the source from which some of this revenue could be raised, the proponents of this measure refuse to do it. Whether or not there is justification for that law, can there be any justification for further increasing the deficit on second-class matter?

The Sterling bill originally proposed an increase, but as soon as the representatives of the newspapers came here and said, "Soft pedal," what did Senators who favor the bill do? They turned a somersault backward in order to get away from it just as quickly as they could. Now more favorable rates are proposed, and the amount they have to pay is to be reduced \$640,000, to be added to the \$74,000,000 deficit which is carried in the bill.

Then the framers of this measure go to the fourth-class mail matter and say to the farmers of the country, who strove for years to get the Parcel Post System and only obtained it after a long struggle, "You have got to pay out of the \$50,000,000 that we are going to raise \$20,000,000."

Oh, the Senator from New Hampshire shakes his head at me.

Mr. MOSES. O Mr. President—

Mr. HARRISON. As shown from the Record on yesterday, in answer to a question which I propounded to him, "How much do you expect to raise from the 2 cents which is imposed on parcel post," he said, "There are a billion packages which go through the parcel post, and if each of them carries a charge of 2 cents, the amount raised will be about \$20,000,000." That was the Senator's answer.

Mr. MOSES. Mr. President, will the Senator from Mississippi yield to me?

Mr. HARRISON. Yes; I yield.

Mr. MOSES. The Senate has just adopted an amendment cutting that squarely in two.

Mr. HARRISON. Yes; over the protest and objection of the Senator who is leading in this fight and over the objection of many other Senators the amount has been reduced \$10,000,000, but as the bill is now constituted it is proposed to raise \$10,000,000 from the source. So what is the present situation? When we originally passed the postal salary increase bill it involved an expenditure of \$68,000,000, and the President vetoed the bill. In his message he said, "I will not stand for it; I will not consent to this increase unless you raise the revenue with which to pay it." The Senator from New Hampshire admitted that the bill would only raise \$50,000,000. That was

on yesterday. The bill has been cut \$10,000,000 more, so there now remains only \$40,000,000 of revenue in the bill. There will be \$68,000,000 required. There is a difference now of \$28,000,000. How can Senators on the other side of the Chamber expect their President, if he lives up to his word in his veto message, to sign the bill?

Mr. EDGE. Mr. President—

Mr. HARRISON. I yield to the Senator from New Jersey.

Mr. EDGE. How did the Senator from Mississippi vote on the amendment which was offered by the Senator from Georgia [Mr. GEORGE] still further to reduce the rates?

Mr. HARRISON. I am delighted that the Senator has asked me that question. Unfortunately for me, I was not here when the vote was taken. I was in favor of that provision, however, and I am going to discuss it in a moment. That was the little sugar-coated pill that the Senator from New Jersey and the Senator from New Hampshire would give to the farmers of the country. What was it?

Mr. Stewart, representing the Post Office Department, stated that of the billion packages which enter into the parcel-post service but 1½ per cent originate on the rural routes of the country, in other words, 1½ per cent of all the packages that enter the parcel post come from the farmers. Those will be excluded from this charge. Were the packages that go to the farmers on the rural routes excluded from the operation of this 2-cent burden or 1-cent burden, as it is now fixed in the bill, or were the parcel-post packages that go to the little third and fourth class post offices of the country so excluded?

The Senator from Minnesota knows that the farmers in his State get their parcel-post packages nine times out of ten in the little third or fourth class post offices and not out on the rural routes. There is not a Senator here who represents an agricultural community but knows that when he sends the farmer down in his State a package he addresses it to the post office in the little town and not out on the rural routes. Many of us refuse to send packages to the rural routes for the reason that we want to save some cost in the addressing of the envelopes, and many of us—I would say all of us—do so because we know when we send it to a little town having a third class or fourth class post office that the farmer living on a rural route near by will get it.

So Mr. Stewart, representing the Post Office Department, has stated that 35 per cent of all the parcel-post packages go into the third and fourth class post offices of the country. Those are the people who are affected; those are the ones upon whom it is attempted to place the \$20,000,000, but which a majority of the Senate has reduced to \$10,000,000.

Mr. MOSES. Mr. President—

Mr. HARRISON. I yield to the Senator from New Hampshire.

Mr. MOSES. The Senator from Mississippi has made an impassioned defense of the George amendment, but it is not the George amendment to which the Senator from New Jersey [Mr. EDGE] referred. The Senator from New Jersey was referring to the amendment proposed by the junior Senator from Georgia [Mr. GEORGE], which still further reduced the rates to be paid on second-class mail matter.

Mr. HARRISON. I do not recall that amendment; I am not familiar with that proposition, I am sorry to say.

Mr. MOSES. The Senator was not present and did not vote for it, so his skirts are clear in the matter. I assume that had he been present he would have voted for that as well as the other amendment proposed by the Senator from Georgia.

Mr. HARRISON. I do not know what it was, and so I can not discuss the proposition. If the amendment is what I now gather it to be, I should have supported it.

Mr. MOSES. I have just told the Senator what it was, and the great majority of the Senators on his side of the Chamber voted for it.

Mr. HARRISON. Well, I presume they did so conscientiously, and I assume that those on the other side who voted for it did the same thing.

Mr. MOSES. Does the Senator mean that those who voted against it did not do so conscientiously?

Mr. HARRISON. Of course, they voted conscientiously. I never ascribe bad motives to Senators. If I should do so, I would pick the Senator from New Hampshire out and say he is playing peanut politics in bringing this bill in here now, when he knows it will never become a law. [Laughter.] However, I will not do that, for I hold the Senator in too high regard to place him in any such attitude as that.

Mr. President, I look into the faces of Senators around me; and while I do not want to bring any politics into the discussion, I wish to say that, in my opinion, the farmer to-day has about reached the lowest ebb, so far as being organized is



concerned, or having anyone to represent him here before the Congress of the United States.

I see representatives of every other business interest here, but I have not seen a representative of a farmers' organization around the Capitol who has said anything about this bill, nor have I had any letters from any farmers in the country protesting against the outrageous inequality of imposing a burden of \$20,000,000 upon them and destroying the Parcel Post System. The farmers of the country had better get busy or they will gradually have taken from them whatever rights they still have left.

If Senators want to grant increased pay to the postal employees, well and good; I am for it; I have been for giving them an increase of salary. I care nothing about the theory of making the Post Office Department pay as it goes. I can not see any justice in the contention that that department has got to do that, when all the other departments of the Government pay nothing as they run.

I think the postal employees are entitled to an increase in their wages. I have voted, as I say, for the bill increasing their salaries every time it has come before the Senate. I voted to override the President's veto. Yet the Senator from New Hampshire says that we have reached the silly stage here. He voted to override the President's veto, but his colleague on the committee who is helping to force this measure through the Senate, the Senator from South Dakota [Mr. STELLING], voted to sustain the President's veto. If we had had about one more vote we would have given the postal employees their increased salaries.

Was the Senator from Nevada [Mr. ODDIE], who, it is said, wrote the provision imposing a 2-cent additional charge upon parcel-post packages, a friend of the postal employees? He was one of those who voted to sustain the President's veto; and so most of the Senators who are now championing this measure were not friends of the postal employees' bill when they might have lifted their voices here and given them the increased salary which they need. A little help at that time would have gone a long way.

I was opposed when we tried to give to the soldiers a bonus to raising the revenue by adopting the bill of the Senator from Utah [Mr. SMOOT] imposing a sales tax. A sales tax! Under such a tax every time one paid the tax he would say "that is going to pay the soldier's bonus." It was wrong in principle; that was one of the reasons I was against it; and I am against giving to the postal employees an increase of salary by saying to the farmer "You have got to pay an additional tax on your parcel-post packages." It is not fair to the postal employees for them to be told any such thing as that. I hope that the \$10,000,000 will be eliminated from this bill.

I appeal to the Senator from Arizona [Mr. CAMERON], who comes up for reelection next year, not to be placed in such a position that when he goes back to the farmers in his State he will have to say, "I voted to impose a \$10,000,000 additional burden on you in order to give the postal employees of the country an increase in salary." I appeal to my friend from Oregon [Mr. STANFIELD], who also comes up for reelection next year, not to put himself in such a position by voting against this proposition that when he goes back to his State he will have to say, "I voted to levy a \$10,000,000 tax upon you farmers of Oregon in order to give the postal employees an increased salary." I appeal to every Senator on the other side of the Chamber and every Senator on this side, who comes up for reelection two years from now as well as four years from now, not to put themselves in the position of imposing \$10,000,000 of taxes on the farmers in order to give a salary increase to the postal employees.

If we are going to raise the revenue, let us raise it from some other source. Senators may think that to vote down my amendment will give strength to the bill, but there are Senators on this side who will not vote for the bill on final passage if the bill proposes to raise this revenue out of the farmers of the country. I want to vote for the bill; I will vote for the bill if there may be eliminated this additional charge on parcel-post packages; but if the proposal to eliminate that charge shall be defeated, I will face the postal employees of the country. I have been their friend; and if they think that they can fall out with me because I refuse to add burdens on the farmers in order to give them increased salaries, then, let them go. I want my action to be prompted by what I conceive to be justice. I know it is not just, I know it is not fair, to impose this \$10,000,000 of taxes on the farmers of the country and at the same time provide the entering wedge which will destroy the Parcel Post System.

Let me repeat that those pushing this bill do not stop there. As I said while the bill was being considered as in Committee of the Whole, the rates on the money orders which the farmers have to buy have been increased. They are the ones who go into the little fourth-class and third-class post offices and buy money orders with which to buy something from Montgomery Ward & Co. or Sears, Roebuck & Co. or some other big mail-order house. The advocates of this measure propose to raise the rate upon them, and they do not stop there. When that man's little package of merchandise starts on its road to the purchaser, they say to the concern from which he bought: "You will have to insure it, but the rate shall be increased in this bill," and consequently the farmer gets it in three different ways. They increase the rate by making him buy this 2-cent stamp and put it on parcel-post packages; they make him pay more through the money-order increase; and they make him pay more for the insurance policy that insures his goods in transit.

The little housewife who lives in the town, whose husband is just eking out a miserable existence, who has been in the habit of buying a dozen eggs from the farmer, calls him up and says to him:

Send me a dozen eggs this morning.

She has to pay 2 cents additional for those eggs.

Mr. MOSES. Mr. President—

Mr. HARRISON. The same thing is true with reference to any pound of stuff that they may buy to go upon their breakfast table or their supper table.

I yield to the Senator from New Hampshire.

Mr. MOSES. We have already adopted a proviso which exempts all packages originating on rural free-delivery routes from the service charge for hauling.

Mr. HARRISON. Then I will eliminate the rural routes. Let us take the star routes. She would have to pay an increase there. Let us eliminate the star route, and say that the little woman lives on the outskirts of a town and asks the merchant in the town to send out, through parcel post, this package. She would have to pay an increase then. Instead of paying the 5-cent rate on her pound of food she would have to pay 7 cents—an increase of 40 per cent in that transaction.

Senators, if you want to do that, go ahead; go your way; but every Senator who votes against this amendment that seeks to put the parcel-post rates on the same basis as they are to-day will have to answer to his constituents when he comes up for reelection.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. HARRISON] to the amendment made as in Committee of the Whole.

Mr. HARRISON. I call for the yeas and nays.

Mr. HEFLIN. Mr. President, I am not in sympathy with the procedure forced upon us here, which requires the raising of certain revenue before we can grant to the postal employees the increase in salary to which they are justly entitled. My point is that the postal employees should be treated with the same consideration that other Government employees receive—that when their efficient service and increased duties entitle them to more pay it ought to be paid to them as a matter of right, without requiring them and their friends to devise some scheme of taxation in order to provide the funds necessary to grant the increase to which they are entitled.

Mr. President, I recall that just a few days ago Congress appropriated several millions of dollars to turn over to Mr. Mellon to enable him to refund taxes that had been paid in to the Government, but that Mr. Mellon had seen fit to order returned to certain big taxpayers. In many instances I think those refunds are being made where they ought not to be made, but you have not complained about that. If he decides to return the tax he does so, and Congress has appropriated millions upon millions for Mr. Mellon to use for that purpose, and not once has a single Republican lifted his voice and proposed that before that money should be refunded taxes should be raised in a certain way, or in any way, to supply the amount refunded. When it comes to raising the salaries of the postal employees, why do you require in this particular case that somebody who uses the mails shall be taxed in order that they may have the increase to which their service entitles them?

I desire to enter my protest now, so that the record of these proceedings will show that quite a number of Senators here do not wish that this method of procedure shall by common consent become a precedent to rise up in the future to haunt postal employees when they ask for deserved increases at the hands of Congress.



Mr. President, I am going to vote for the amendment of the Senator from Mississippi, as I did vote a little while ago. I do not want to see the Parcel Post System handicapped or destroyed. I am for the increase in salaries asked for by the postal employees. I voted for the bill which passed Congress last year, and when the President vetoed that bill I voted to pass it over his veto. I am anxious for the postal employees to have that increase at the earliest day possible, but I have not been able to agree that those who are pressing this measure here now are entirely sincere in their efforts to really bring about an increase in the salaries of the postal employees. It is true that this bill has been improved by amendments, but I would much prefer to vote for a bill which did the fair and square thing by the postal employees, as the bill did which we tried to pass over the President's veto.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. HARRISON] to the amendment made as in Committee of the Whole.

Mr. HEFLIN. The yeas and nays were asked for on the amendment, Mr. President.

The PRESIDENT pro tempore. The yeas and nays are demanded. Is the demand seconded?

Mr. MOSES. I suggest the absence of a quorum, Mr. President.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Fernald	Keyes	Sheppard
Bayard	Ferris	King	Shields
Bingham	Fess	McCormick	Shipstead
Borah	Fletcher	McKellar	Shortridge
Brookhart	Frazier	McKinley	Simmons
Broussard	George	McLean	Smoot
Bruce	Gerry	McNary	Spencer
Bursum	Glass	Mayfield	Stanfield
Butler	Gooding	Means	Sterling
Cameron	Hale	Metcalf	Swanson
Capper	Harrell	Moses	Trammell
Caraway	Harris	Neely	Underwood
Copeland	Harrison	Norbeck	Wadsworth
Couzens	Hefflin	Norris	Walsh, Mass.
Cummings	Howell	Oddie	Warren
Dale	Johnson, Calif.	Overman	Watson
Dial	Johnson, Minn.	Pepper	Weller
Dill	Jones, N. Mex.	Phipps	Wheeler
Edge	Jones, Wash.	Reed, Mo.	Willis
Ernst	Kendrick	Reed, Pa.	

The PRESIDENT pro tempore. Seventy-nine Senators have answered to the roll call. There is a quorum present. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. HARRISON. I ask that my amendment be read again before we vote on it.

The PRESIDENT pro tempore. The Secretary will state the amendment upon which we are about to vote.

The READING CLERK. The amendment offered by the Senator from Mississippi is to strike out the first paragraph of subdivision (b), section 208, as amended, and insert in lieu thereof:

(b) That on fourth-class matter the rate of postage shall be by the pound, the postage in all cases to be prepaid by postage stamps affixed thereto, or as otherwise prescribed by regulations of the Postmaster General.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Mississippi to the amendment made as in Committee of the Whole, on which the yeas and nays have been ordered.

The reading clerk proceeded to call the roll.

Mr. WATSON (when Mr. CURTIS's name was called). The senior Senator from Kansas [Mr. CURTIS] is absent on account of illness. He is paired with the senior Senator from Arkansas [Mr. ROBINSON].

Mr. WATSON (when his name was called). I have a pair with my colleague, the junior Senator from Indiana [Mr. RALSTON], which I transfer to the junior Senator from Wisconsin [Mr. LENROOT], and vote "yea."

The roll call was concluded.

Mr. STERLING. Making the same announcement as to my pair and its transfer as on the last vote, I vote "yea."

Mr. FRAZIER. I wish to announce that my colleague [Mr. LADD] would vote "yea" if he were present.

Mr. ERNST (after having voted in the negative). I have a general pair with the senior Senator from Kentucky [Mr. STANLEY], and I am advised that he has not voted. I therefore withdraw my vote.

The result was announced—yeas 34, nays 41, as follows:

## YEAS—34

Brookhart	Gerry	McKellar	Shipstead
Broussard	Glass	Mayfield	Simmons
Bruce	Gooding	Neely	Swanson
Caraway	Harris	Norbeck	Trammell
Copeland	Harrison	Norris	Underwood
Dial	Hefflin	Overman	Walsh, Mass.
Fletcher	Johnson, Calif.	Reed, Mo.	Wheeler
Frazier	Johnson, Minn.	Sheppard	
George	Jones, N. Mex.	Shields	

## NAYS—41

Ball	Fernald	McKinley	Smoot
Bayard	Ferris	McLean	Spencer
Bingham	Fess	McNary	Stanfield
Bursum	Hale	Means	Sterling
Butler	Harrell	Metcalf	Wadsworth
Cameron	Howell	Moses	Warren
Couzens	Jones, Wash.	Oddie	Watson
Cummings	Kendrick	Pepper	Willis
Dale	Keyes	Phipps	
Dill	King	Reed, Pa.	
Edge	McCormick	Shortridge	

## NOT VOTING—21

Ashurst	Ernst	Pittman	Stephens
Borah	Greene	Ralston	Walsh, Mont.
Capper	Ladd	Ransdell	Weller
Curtis	La Follette	Robinson	
Edwards	Lenroot	Smith	
Elkins	Owen	Stanley	

So Mr. HARRISON's amendment to the amendment made as in Committee of the Whole was rejected.

The amendment made as in Committee of the Whole was concurred in.

Mr. McKELLAR. Mr. President, the clerks at the desk inform me that an error has crept into the proceedings. It will be recalled that when I offered the amendment a while ago to change the numeral "2" to "1," and the word "cents" to "cent" in the parcel post amendment, the amendment made as in Committee of the Whole had not been concurred in, so that the Senator from Mississippi [Mr. HARRISON] could offer an amendment to it. After his amendment failed, then I offered the amendment made as in Committee of the Whole. Now the clerk tells me that when the amendment was voted on afterwards, as a matter of course it did not read "1 cent," but read "2 cents." I ask unanimous consent that that error be corrected, and that the language "1 cent" be inserted in the bill in place of "2 cents."

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the correction will be made. The bill is in the Senate and open to further amendment. If there be no further amendments to be proposed, the question is, Shall the bill be engrossed and read a third time?

The bill was ordered to be engrossed, and was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the bill pass?

Mr. MOSES. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. BRUCE (when his name was called). I am paired on this question with the junior Senator from Indiana [Mr. RALSTON], who is absent. If he were present and voting, he would vote "yea," and I would vote "nay."

Mr. JONES of Washington (when Mr. LENROOT's name was called). The Senator from Wisconsin [Mr. LENROOT] is absent on account of illness in his family. If he were present, he would vote "yea."

Mr. STERLING (when his name was called). On this vote I understand that my pair, the Senator from South Carolina [Mr. SMITH], would vote the same way I intend to vote, and I therefore am at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. DALE. My colleague, the senior Senator from Vermont [Mr. GREENE], is unavoidably detained. If he were present, he would vote "yea."

Mr. FRAZIER. My colleague, the senior Senator from North Dakota [Mr. LADD], is unavoidably absent. If present, he would vote "yea."

Mr. WATSON. The senior Senator from Kansas [Mr. CURTIS] is absent from the Chamber on account of illness. He has a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. If the Senator from Kansas were present, he would vote "yea" on the passage of this measure.

Mr. WHEELER. My colleague, the senior Senator from Montana [Mr. WALSH] is unavoidably absent from the Senate. If present, he would vote "yea."

Mr. GERRY. I desire to announce that the Senator from Arkansas [Mr. ROBINSON], the Senator from Arizona [Mr.



ASHURST], the Senator from New Jersey [Mr. EDWARDS], the Senator from Louisiana [Mr. RANDELL], and the Senator from South Carolina [Mr. SMITH], if present, would each vote "yea."

Mr. ERNST. Has my colleague, the senior Senator from Kentucky [Mr. STANLEY] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. ERNST. I desire to transfer my general pair with the senior Senator from Kentucky [Mr. STANLEY] to the senior Senator from Vermont [Mr. GREENE] and vote "yea."

The result was announced—yeas 70, nays 8, as follows:

## YEAS—70

Ball	Ferris	King	Shields
Bayard	Fess	McCormick	Shipstead
Bingham	Fletcher	McKellar	Shortridge
Broussard	Frazier	McKinley	Simmons
Bursum	George	McLean	Smoot
Butler	Gerry	McNary	Spencer
Cameron	Gooding	Mayfield	Stanfield
Capper	Hale	Means	Sterling
Caraway	Harrell	Metcalf	Trammell
Copeland	Harris	Moses	Wadsworth
Couzens	Heflin	Neely	Walsh, Mass.
Cummins	Howell	Oddie	Warren
Dale	Johnson, Calif.	Overman	Watson
Dial	Johnson, Minn.	Pepper	Weller
Dill	Jones, N. Mex.	Phipps	Wheeler
Edge	Jones, Wash.	Reed, Mo.	Willis
Ernst	Kendrick	Reed, Pa.	
Fernald	Keyes	Sheppard	

## NAYS—8

Borah	Glass	Norbeck	Swanson
Brookhart	Harrison	Norris	Underwood

## NOT VOTING—18

Ashurst	Greene	Pittman	Stanley
Bruce	Ladd	Ralston	Stephens
Curtis	La Follette	Ransdell	Walsh, Mont.
Edwards	Lenroot	Robinson	
Elkins	Owen	Smith	

So the bill was passed.

## CAPE COD CANAL

Mr. FERNALD. Mr. President, I had intended to ask unanimous consent to take from the calendar the bill (H. R. 3933) for the purchase of the Cape Cod Canal property, and for other purposes, but there are several Senators interested in the bill who are absent. I wish to announce that on Wednesday next, at the close of the morning hour, I shall ask unanimous consent to have the bill considered.

## THE ISLE OF PINES TREATY

Mr. PEPPER. Mr. President, I wish to announce that on Monday at the first opportunity I shall request that the Senate go into open executive session for the consideration of the Isle of Pines treaty in order that I may address a few remarks to the Senate upon that subject.

## REORGANIZATION OF EXECUTIVE BRANCH

Mr. SMOOT. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 3445) to provide for the reorganization and more effective coordination of the executive branch of the Government, to create the department of education and relief, and for other purposes.

Mr. KING. Does my colleague intend to continue the discussion of the bill this afternoon if it is taken up?

Mr. SMOOT. I will say to the Senator that if we take it up and it thus becomes the unfinished business I shall then move to proceed to the consideration of executive business. I also wish to state that unless there is some objection on the part of the Senate, to-morrow will be devoted to the consideration of bills on the calendar. I wish to state further that I shall move that the Senate adjourn after the executive session this afternoon.

Mr. KING. I ask my colleague whether there were hearings on the bill which he is seeking to have made the unfinished business and whether the hearings have been published?

Mr. SMOOT. Yes; there were hearings, which have been printed, and there is quite a volume of them.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I yield.

Mr. BORAH. I observe that the special order on Senate bill 33 is to begin on Monday at 2 o'clock. The Senator from Utah is requesting to make the reorganization bill the unfinished business. Then on Wednesday we are to have the Cape Cod Canal bill. I would like to ask those who are in charge of the program for the next 29 days in which we have to work, what particular place in that program the carrying out of the recommendations of the President and the special commission with reference to agriculture is going to have?

Mr. SMOOT. So far as I am concerned, I can not answer the Senator. I can not state what course the legislation will take.

Mr. BORAH. I notice that the majority leader is absent.

Mr. SMOOT. Yes; he is not well to-day.

Mr. BORAH. If the Senator from Utah does not know anything about it, does the Senator from Indiana [Mr. WATSON] know?

Mr. WATSON. I do not know; but I can conjecture. I think that the measure proposed by the Senator from Utah, as I understand it, is not to displace the special order on Monday. Am I right about that?

Mr. SMOOT. As far as I am concerned, I shall ask the Senate to temporarily lay aside the unfinished business whenever it is desired to have the Isle of Pines treaty come before the Senate.

Mr. BORAH. I am not concerned about the Isle of Pines. Any time is soon enough to give away territory. I am concerned about whether there is to be any place in the program to carry out the recommendations which have been made by the fact finding commission with reference to agriculture.

Mr. WATSON. My understanding is that that is to be done, I will say to the Senator from Idaho, though, so far as I am informed, a definite time has not yet been fixed.

Mr. SMOOT. So far as I am concerned I will assist in bringing that legislation before the Senate.

Mr. BORAH. I ask the Senators to bear in mind that we have, I think, but 29 more working days.

Mr. WATSON. But we have a good many nights.

Mr. BORAH. Yes; but we do not work at night very much. We have 29 working days including the nights. By the time we get through with the Cape Cod Canal bill and the special order, and the bill which the Senator from Utah is endeavoring to have made the unfinished business, there will be much less than 29 days. There will have to be an understanding that the other program is not to be interfered with or else we will not do anything at all upon the subject. I give notice now that if those who have charge of the program do not upon Monday provide for a program in regard to the matter, I shall undertake to do it myself.

Mr. MOSES. Through a unanimous-consent agreement?

Mr. GLASS. Mr. President—

Mr. SMOOT. I yield to the Senator from Virginia.

Mr. GLASS. I ask the Senator from Utah whether he is requesting unanimous consent to take up the bill or whether he is moving that it be taken up?

Mr. SMOOT. I have moved to take it up.

Mr. GLASS. I was going to suggest if the Senator was asking unanimous consent that I propose to object. I imagine that the Senator knows he can not hope to enact the legislation at this session of Congress and it seems to me to take it up is to waste the time of the Senate when other matters might be taken up that could be consummated.

Mr. SMOOT. The Senator is in hope of passing the bill at this session of Congress.

Mr. STERLING. Mr. President, may I interrupt the Senator?

Mr. SMOOT. I yield to the Senator from South Dakota.

Mr. STERLING. I appreciate what has been said by the Senator from Idaho in regard to other important legislation. In addition to that which he has mentioned I could mention several other bills that are important and are waiting the consideration and action of the Senate upon them.

I think, Mr. President, that the very short time we shall have for the remainder of the session might be more profitably used than in the discussion of the bill consideration for which is asked by the Senator from Utah.

I am free to say, Mr. President, that I am opposed to the bill and that I am opposed to the pending motion. I shall not delay action upon the motion at all by calling for a record vote upon it or anything of that kind, but I simply wish to emphasize the fact that there is all this important business waiting to be considered and that we may well use to better advantage in the consideration of that business the long time which I think will be required in the consideration of the bill which the Senator from Utah proposes shall now be taken up.

Mr. SMOOT. I wish to advise the Senator from South Dakota, whose objection to the bill is in relation to the establishment of a department of education, that I have letters from Doctor Fairchild, from the Commissioner of Education, and I have been visited by Miss Williams, who appeared before the committee in favor of the establishment of a department of education alone, who all express the hope that the bill will pass as it now stands.

Mr. GLASS. Mr. President, however much controverted that provision may prove to be, there are other provisions of the bill



that are very bitterly contested. Within the last two days I have had letters from some of the most eminent physicians in the United States very bitterly objecting to the proposition practically to dismantle and wreck the Public Health Service and put it into the Veterans' Bureau, where we have had interminable difficulties for years and years. So the Senator from Utah may be well assured that if he is going to make this bill the unfinished business of the Senate it is going to consume considerable time that might better be devoted to some measures that we may hope to pass.

Mr. SMOOT. Mr. President, again I wish to say to the Senate that many leading men of the country who are interested in the public health of the Nation are opposed to this measure because of the fact that they have never taken into consideration what the bill proposes to do in relation to the Public Health Service. I have received letters similar to those which have been received by the Senator from Virginia; I have answered those letters and stated just what the bill provides, and then I have received answers that those who had written to me had no objection to the bill.

Mr. OVERMAN. Why is consideration asked for this bill right now? What great measure is it?

Mr. SMOOT. I am perfectly aware that there are some people who do not want any change at all in the present structure of the Government departments.

Mr. OVERMAN. What is the character of the bill for which the Senator from Utah asks consideration? Can he explain it? It proposes to reorganize the entire Government, does it not?

Mr. SMOOT. It proposes a reorganization which should have taken place a great many years ago.

Mr. OVERMAN. But can it not take place as well next year?

Mr. SMOOT. This proposed legislation has been under consideration now during four years.

Mr. WATSON. Mr. President, will the Senator from Utah yield to me for a question?

Mr. SMOOT. Yes.

Mr. WATSON. Are we right in assuming that the Senator does not intend to exclude appropriation bills?

Mr. SMOOT. It is not intended to exclude any appropriation bills whatever.

Mr. WATSON. Or any bill carrying out the President's program?

Mr. SMOOT. I do not expect to do so and do not intend to do so.

Mr. WATSON. Precisely.

Mr. BAYARD. Mr. President, may I suggest to the Senator from Indiana that if we amalgamate one or more of the departments, why would not that infringe upon the appropriation bills as a result? In other words, if the appropriations bills have already been passed and one or more departments of the Government are reconstructed, will not the appropriations for those departments have to be made over again?

Mr. SMOOT. No; because of the fact that the bill provides that transfers of the appropriation shall be made.

Mr. BAYARD. Can that be done as a revenue measure in this House?

Mr. SMOOT. The bill is not a revenue measure; there is not a dollar to be raised by the bill. It provides for transferring appropriations which may already have been made to the departments for which they have been provided in case of the transfer of one department to another department; but that has nothing to do with the raising of revenue. That has been done by this body time and time again; in fact, whole departments have been created by bills originating in the Senate.

The PRESIDENT pro tempore. Will the Senate be in order? The Chair thinks the debate ought to proceed in the regular way. The Senator from Utah has the floor to say whatever he desires to submit to the Senate.

Mr. SMOOT. I ask for a vote upon the motion, Mr. President.

Mr. HEFLIN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield the floor?

Mr. SMOOT. Yes; I yield the floor.

Mr. OVERMAN. Does the Senator from Utah think the country will go to the bow wows if the reorganization bill shall not be passed?

Mr. SMOOT. No; but a good many activities in some of the departments might, more or less, go to the bow wows.

Mr. HEFLIN. Mr. President, I wish to suggest to the Senator from Utah and to others on both sides of the Chamber

that the bill providing appropriations for Federal aid to roads in the various States is now upon the calendar. It is a very important measure and ought to be passed. I think we ought to take that bill up and pass it, and I ask the Senator from Utah to permit us to do that before he makes any motion with reference to the bill to which he has referred.

Mr. SMOOT. My attention was distracted for the moment. I did not hear what the Senator said.

Mr. HEFLIN. I will say to the Senator from Utah that I hold in my hand a very short bill providing appropriations for Federal aid to roads in the States. I suggest that we pass that bill before the Senator presses the bill in which he is interested.

Mr. SMOOT. No; I have made my motion and I want the Senate to act upon it. There will be plenty of time, so far as that is concerned, for the Senator to bring up the good roads bill.

Mr. HEFLIN. And there will also be plenty of time for the consideration of the bill of the Senator from Utah.

Mr. SWANSON. Mr. President, the Senator from South Dakota is present and wishes to ask unanimous consent to consider and pass the good roads bill. That bill simply proposes to carry out existing law. A Senator who had some objection is now willing that the bill shall be considered.

Mr. HEFLIN. It will take but a little while.

Mr. SWANSON. The Senator from South Dakota, who has charge of the good roads bill, desires to ask unanimous consent to consider that bill. It is, I repeat, a very important one, and I hope the Senator will make his request.

Mr. STERLING. I should like to ask unanimous consent now to that effect, but there is a motion pending made by the Senator from Utah. When that shall have been disposed of I will make the request.

Mr. SMOOT. When the Senate shall have voted upon the motion I have made, then I will have no objection to the Senator from South Dakota making his request for unanimous consent; in fact, I will ask unanimous consent that the reorganization bill be temporarily laid aside so that other business may be transacted.

The PRESIDENT pro tempore. The Senator from South Dakota is recognized to debate this question.

Mr. STERLING. Mr. President, I have nothing further to say in regard to the motion made by the Senator from Utah, except to state that under the reorganization bill there is included in the proposed department of education and relief provided for in that bill these activities of the Government: Education, Public Health Service, Veterans' Bureau, Pension Bureau, and, I think, two or three other services, which I do not now recall. The report made by the joint commission says in terms that the War Veterans' Bureau itself is larger than some of the departments of the Government; and yet it is proposed to put that bureau in with the Department of Education as well as the Public Health Service and the Pension Bureau, all under the name of a department of education and relief.

Mr. OVERMAN. Is it not proposed to put insane institutions in also?

Mr. STERLING. Yes; St. Elizabeths Hospital is to be included.

Mr. OVERMAN. And Howard University?

Mr. SMOOT. Mr. President, in answer to what the Senator said, I wish to say it seems to me that the St. Elizabeths Hospital ought to be under a relief head rather than under the Secretary of the Interior, where it is to-day. I can explain all of the transfers; and if any Senator wants to know why any transfer has been made, good reason can be shown for every such transfer.

Mr. BORAH. Mr. President, after we have passed the bill creating the department of education and relief, after those two elements of human life shall have been taken care of, what else will there be for the Government to do?

Mr. SMOOT. There will always be a necessity for appropriations.

Mr. SWANSON. Mr. President, one of the most important measures pending before the Senate is the House good roads bill, which has been here now for a long time. If the reorganization bill should be taken up by the Senate, during the time when it may remain the unfinished business it will require practically unanimous consent, unless it shall be superseded by some other measure, to secure consideration for the bill making appropriations for good roads. That bill, as I have said, simply carries out existing law.

Mr. SMOOT. Mr. President, if the Senator will yield, I do not intend to ask that the reorganization bill shall be considered to-night. I am going to ask unanimous consent, if my motion shall be agreed to by the Senate, temporarily to lay the



bill aside, so that if the Senate wishes to take up the bill referred to by the Senator from Virginia it may do so.

Mr. SWANSON. All I ask is that the Senator from South Dakota shall be granted unanimous consent to have the roads bill considered. There is no objection to it except on the part of two or three. When that bill gets in front of the bill of the Senator from Utah I will feel better satisfied that the reorganization bill will not interfere with the good roads legislation and defeat it at this session of Congress. I can not consent, so far as my vote is concerned, that the bill proposed by the Senator from Utah shall go ahead of the good roads bill.

Mr. SMOOT. That is all right.

Mr. SWANSON. The good roads bill does not change the law at all; it makes no increase in appropriations; it merely carries out authorizations that have been made this year and provides the amount carried by the law for the last four or five years. It involves no increase or decreases.

Mr. BORAH. It is not necessary for the Senator to mention that the bill makes no decreases in appropriations.

Mr. SWANSON. We do not want to decrease appropriations for a project like good roads. I do not see why the Senator from Utah should object to acting on the good roads bill before his bill shall be made the unfinished business. I can not consent that his bill shall be made the unfinished business while this other great measure is pending here.

SEVERAL SENATORS. Vote!

Mr. STERLING. Then, Mr. President, I ask unanimous consent that the Senate—

Mr. SMOOT. There is no need of the Senator asking unanimous consent at this time, for I want a vote on my motion, and if it shall be agreed to I am going to ask that the bill be laid aside. If the Senator can then secure unanimous consent for the consideration of his bill, very well.

Mr. STERLING. Very well, I withhold the request.

Mr. SWANSON. Mr. President, the pending motion is subject to debate, being made after 2 o'clock.

The PRESIDENT pro tempore. The Senator from Virginia.

Mr. SWANSON. I hope that every Senator who is in favor of good roads and does not want to have the bill making provision for them jeopardized by making as the unfinished business a measure which might interfere with it will see that no bill shall be made the unfinished business until the good roads bill shall have been disposed of in some way.

Mr. SMOOT. It is for the Senate to decide as to that.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Utah. [Putting the question.] By the sound the noes seem to have it.

Mr. SMOOT. I ask for the yeas and nays.

Mr. McNARY. Let us have the yeas and nays.

The PRESIDENT pro tempore. The Senator from Utah demands the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. WATSON (when his name was called). I transfer my pair with my colleague [Mr. RALSTON] to the senior Senator from Vermont [Mr. GREENE], and will vote. I vote "nay."

The roll call was concluded.

Mr. STERLING (after having voted in the negative). Mr. President, I voted without thinking about my pair. I have since been informed, however, that my pair, if present, would vote the same way that I have voted. Therefore I will let my vote stand.

Mr. BALL (after having voted in the negative). I understand that my pair, the senior Senator from Florida [Mr. FLETCHER], has not voted and is not present. I have just been informed, however, that if present the Senator from Florida would vote as I have voted, so I will let my vote stand.

Mr. JONES of Washington. I desire to announce the necessary absence of the Senator from Kansas [Mr. CURTIS]. He has a general pair with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 25, nays 41, as follows:

#### YEAS—25

Bingham	Harrell	McKinley	Smoot
Bursum	Harrison	McLean	Spencer
Cameron	Johnson, Calif.	McNary	Wadsworth
Cummins	Jones, Wash.	Means	Willis
Edge	Kendrick	Pepper	
Fess	Keyes	Phipps	
Hale	McKellar	Reed, Pa.	

#### NAYS—41

Ball	Bruce	Couzens	Frazier
Bayard	Butler	Dial	George
Borah	Capper	Dill	Gerry
Brookhart	Caraway	Ernst	Glass
Broussard	Copeland	Ferris	Gooding

Harris	Metcalf	Shipstead	Walsh, Mass.
Heflin	Moses	Simmons	Watson
Howell	Neely	Sterling	Wheeler
Johnson, Minn.	Oddie	Swanson	
Jones, N. Mex.	Overman	Trammell	
King	Sheppard	Underwood	

#### NOT VOTING—30

Ashurst	Ladd	Pittman	Stanfield
Curtis	La Follette	Ralston	Stanley
Dale	Lenroot	Ransdell	Stephens
Edwards	McCormick	Reed, Mo.	Walsh, Mont.
Elkins	Mayfield	Robinson	Warren
Fernald	Norbeck	Shields	Weller
Fletcher	Norris	Shortridge	
Greene	Owen	Smith	

So Mr. Smoot's motion was rejected.

#### GOOD ROADS

Mr. STERLING. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order of Business 872, House bill 4971, known as the good roads bill.

Mr. BORAH. Mr. President, does the Senator plan to go ahead with the bill this afternoon?

Mr. STERLING. I had expected to go ahead with it.

Mr. BORAH. I object.

Mr. STERLING. Then, Mr. President, I move that the Senate proceed to the consideration of the bill.

The PRESIDENT pro tempore. The Senator from South Dakota moves that the Senate proceed to the consideration of House bill 4971, to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

Mr. BALL. Mr. President—

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Delaware?

Mr. BALL. I do not want to discuss the motion. I want the Senator to yield while I have a Senate joint resolution passed.

Mr. STERLING. I should like to have a vote on this motion first.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Idaho?

Mr. STERLING. I yield to the Senator from Idaho.

Mr. BORAH. I want to ask the Senator again if he is going to proceed with the bill this afternoon. If he is, I desire to debate this motion a while, in order that we may have a little time to look into the bill.

Mr. SMOOT. It carries only \$75,000,000; that is all.

Mr. REED of Pennsylvania. The Senator is wrong about that. The bill carries \$75,000,000 a year.

Mr. STERLING. To accommodate the Senator from Idaho, if the bill is made the unfinished business by the Senate, I will ask to have it temporarily laid aside. That will give the Senator from Idaho or any other Senator an opportunity to look into it.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from South Dakota.

Mr. SMOOT. Mr. President, I should like to call the attention of the Senate to the fact that this bill involves an expenditure of \$75,000,000 a year.

Mr. STERLING. Yes; just the amount that we appropriated for last year.

Mr. SMOOT. Yes. It is a splendid thing to take \$75,000,000 a year out of the Treasury by unanimous consent. We have just tried to secure the consideration of a bill that would save the Government some money, but I observe that efforts of that kind always fail. If, however, the bill takes money out of the Treasury of the United States, it is all right.

Mr. STERLING. This bill is simply in pursuance of a policy of the Government ever since 1916, when the first good roads bill was passed. People have been demanding that an appropriation much greater than \$75,000,000 a year be authorized. They have asked for \$100,000,000; but the House has passed a bill, and it is before us, authorizing the appropriation of \$75,000,000 a year for the next two years for good roads.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from South Dakota.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4971) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as



amended and supplemented, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads, with an amendment.

Mr. STERLING. Mr. President, I now ask that the unfinished business be temporarily laid aside.

Mr. SMOOT. I object to laying aside the unfinished business.

The PRESIDENT pro tempore. Objection is made.

Mr. BALL. Mr. President—

Mr. STERLING. I yield to the Senator from Delaware.

Mr. HEFLIN. Mr. President, what was the request?

The PRESIDENT pro tempore. The Senator from South Dakota asked unanimous consent that the bill just laid before the Senate be temporarily laid aside. There was objection to that request, so the bill is before the Senate.

Mr. REED of Pennsylvania. Mr. President, out of order, I report back favorably from the Committee on Finance a bill, and ask unanimous consent for its immediate consideration. It will not take half a minute.

Mr. HEFLIN. Let it be read.

Mr. SMOOT. Let us see what it is.

The PRESIDENT pro tempore. The Secretary will state the title of the bill.

The READING CLERK. From the Committee on Finance the Senator from Pennsylvania reports back favorably, without amendment, House bill 7918, to diminish the number of appraisers at the port of Baltimore, and for other purposes, and he submits a report (No. 947) thereon.

Mr. SMOOT. That bill will save some money.

The PRESIDENT. The Senator from Pennsylvania asks unanimous consent for the present consideration of the bill. Is there objection?

Mr. BRUCE. I object.

Mr. REED of Pennsylvania. Mr. President, will not the Senator from Maryland withdraw his objection?

Mr. BRUCE. I will not. It affects Baltimore. I suppose the Senator wants me not to make any objection, but he has not spoken to me about it before.

Mr. BALL. Mr. President—

The PRESIDENT pro tempore. The Chair now recognizes the Senator from Delaware.

Mr. BALL. I ask unanimous consent for the immediate consideration of Senate Joint Resolution 174, Order of Business 996.

Mr. SMOOT. I object, Mr. President.

The PRESIDENT pro tempore. The Senator from Delaware asks unanimous consent for the immediate consideration of Senate Joint Resolution 174.

Mr. SMOOT. I object.

Mr. BALL. Mr. President, this joint resolution authorizes—

Mr. SMOOT. It does not make any difference what it authorizes; I object.

The PRESIDENT pro tempore. Objection is made.

Mr. HARRISON. Mr. President, I merely want to call to the attention of the Senate what has just happened.

In May, 1921, the then President of the United States, President Harding, recommended, through a message to Congress, that a joint commission on reorganization of all the Government departments should be appointed and that the question of reorganization should be considered. Since the present President has come in, he has delivered a message to Congress asking for the adoption of the recommendations of this commission. On the motion of the Senator from Utah to take up and consider that bill, which comes within about five or six weeks of the time when this Congress will come to an end, we find some very distinguished administration Senators refusing to comply not only with the request of President Coolidge but with the request of the lamented President Harding.

In looking over the roll call, the motion having had only 25 votes cast for it and 41 votes cast against it, I find that such administration leaders voted against taking up for consideration this administration measure as Senators BALL, BORAH—who has lately become an administration leader—BROOKHART [laughter], BUTLER, the chairman of the Republican National Committee—

Mr. EDGE. Mr. President, is the Senator reading those names in classes?

Mr. HARRISON. They may be classified through a policy of Executive elimination later on—CAPPER, COUZENS, ERNST, GOODING, HOWELL, METCALF, MOSES (chairman senatorial campaign committee), ODDIE, STERLING, and WATSON. These are some of the administration Senators who refused to comply with the request of the President to take up the administra-

tion reorganization bill. What do you mean by giving this jolt to the administration?

Mr. BORAH. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. WATSON. Will not the Senator yield to me for a moment?

The PRESIDENT pro tempore. Does the Senator from Idaho withhold the motion?

Mr. BORAH. I do. I yield to the Senator from Indiana.

Mr. WATSON. I want to plead with the Senator from Utah to withdraw his objection to the consideration of Senate Joint Resolution 174. It is a joint resolution introduced by the Senator from Kansas [Mr. CURTIS], authorizing the granting of permits to the committee on inaugural ceremonies, and if it is not passed now it may not be passed at all.

Mr. SMOOT. I object, Mr. President.

Mr. BORAH. I yield to the Senator from Tennessee.

Mr. McKELLAR. I ask unanimous consent that when the Senate meets to-morrow it will consider only unobjected bills on the Private Calendar.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. HARRISON. I would like to amend my remarks further by saying that the other administration leader, Mr. SMOOT, objects even to paying out any money for the inauguration of President Coolidge.

Mr. SMOOT. It will come in time. There is plenty of time.

Mr. BORAH. I move that the Senate proceed to the consideration of executive business.

Mr. REED of Pennsylvania. Will the Senator withhold that request for a moment?

Mr. BORAH. I withhold the request.

Mr. REED of Pennsylvania. Will the Senator yield to me to renew my request for a unanimous consent?

Mr. HARRELD. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his inquiry.

Mr. HARRELD. I would like to know what became of the request of the Senator from Tennessee.

The PRESIDENT pro tempore. The Senator from Tennessee has asked that when the Senate convenes to-morrow it proceed to the consideration of unobjected bills on the calendar. Is there objection?

Mr. WATSON. At the present time I am constrained to object. I may not do so to-morrow.

Mr. BORAH. I yield now to the Senator from Pennsylvania.

#### APPRAISERS OF MERCHANDISE AT BALTIMORE

Mr. REED of Pennsylvania. I renew my request for unanimous consent for the consideration of the bill which I reported from the Committee on Finance a few minutes ago.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent for the immediate consideration of the bill which he reported a few moments ago.

Mr. BRUCE. I withdraw my objection. The Senator has explained the bill to me.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7918) to diminish the number of appraisers at the port of Baltimore, and for other purposes.

Mr. MOSES. What is the measure?

The PRESIDENT pro tempore. The Secretary will read the bill.

The reading clerk read the bill, as follows:

*Be it enacted, etc.,* That there shall be at the port of Baltimore one appraiser of merchandise instead of two as now provided, and the said appraiser at Baltimore shall receive a salary of \$4,500 per annum, payable out of the appropriation for expenses of collecting the revenue from customs.

Such parts of the act of August 24, 1912 (ch. 355, sec. 1, 37 Stat. 434), and the reorganization of the customs service made by the President thereunder as are inconsistent with the provisions of this act and all other laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Mr. KING. Mr. President—

Mr. REED of Pennsylvania. In explanation of the bill, I will state that under the present law there are two appraisers authorized for Baltimore. One of those positions is now vacant and the Treasury Department wants to abolish it. At present the authorized salary is \$3,000 for each appraiser, but under the reclassification bill all three assistants receive more than the appraisers themselves receive. What the Treasury wants to do



is to consolidate the two positions into one and pay \$4,500, which will result in a saving of \$1,500 to the Government.

Mr. KING. What would be the average salary paid to the appraisers in ports where the work is substantially of the same character as the work in the port of Baltimore?

Mr. REED of Pennsylvania. Around four or five thousand dollars.

Mr. McKELLAR. Was there a unanimous report from the committee on the bill?

Mr. REED of Pennsylvania. The report of the committee on the bill was unanimous.

Mr. KING. It seems that this individual has been working for \$3,000, and now it is proposed to give him \$4,500.

Mr. REED of Pennsylvania. We save \$1,500 by making him do two men's work.

Mr. KING. By abolishing a useless office. It does not indicate very much economy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### RETIREMENT OF CIVIL-SERVICE EMPLOYEES

Mr. STANFIELD. Mr. President, will the Senator from Idaho yield to me?

Mr. BORAH. I yield.

Mr. STANFIELD. I ask unanimous consent that at 2 o'clock on Thursday, February 5, Senate bill 3011, to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof, be made the unfinished business.

Mr. SWANSON. I would not object to that, provided it did not interfere with the bill which has been made the unfinished business—the good roads bill. If that bill shall be disposed of by the time the Senator has fixed, I will have no objection.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon?

Mr. SMOOT. We can not make a bill the unfinished business for some future day.

Mr. BORAH. The Senator can have it made a special order.

Mr. SMOOT. I have told the Senator from Oregon that just as soon as we can agree upon some amendments to the bill there will be no objection to taking it up. But there is no use trying to get it up to-night.

Mr. STANFIELD. I do not ask that the bill be taken up now.

#### EXECUTIVE SESSION

Mr. BORAH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 31, 1925, at 12 o'clock meridian.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate January 30 (legislative day of January 26), 1925*

##### PROMOTION IN THE ARMY

Moses Gray Zalinski to be assistant to the Quartermaster General for a period of four years, with rank of brigadier general.

##### POSTMASTERS

##### KENTUCKY

George P. Ginn, Ashland.  
Lloyd F. Williams, Bagdad.  
Walker Jameson, Beattyville.  
William T. Isaacs, Benham.  
Dewitt O. Burke, Bradfordsville.  
Robert H. Middleton, Buffalo.  
Henry T. Short, Calhoun.  
Vera Baird, Crab Orchard.  
Virgil A. Matthews, Fordsville.  
Egbert V. Taylor, Greensburg.  
Eugene F. Stuart, Hardyville.  
Allen D. Thomson, Kuttawa.  
Mack R. Huston, Lakeland.  
William Rice, Manchester.  
York Hatfield, McVeigh.  
Allen E. Bell, Moreland.  
Wallace D. Jones, Mortons Gap.  
John P. Graham, New Haven.  
John H. Meyer, Newport.  
Garrett H. Lawrence, Poor Fork.

Cameron F. Dunbar, Russell Springs.  
Stace W. Poole, Seebree.  
Mabelle Sharp, Sharpsburg.  
Squire P. Willis, Stamping Ground.  
Samuel H. McMurray, Stearns.  
Rex A. O'Flynn, Utica.  
Mack M. Noel, Veterans' Hospital.

##### NEW MEXICO

Cristobal J. Quintana, Taos.

##### NEW YORK

Celia D. White, Fishkill.  
William C. Meade, Hall.  
Rosella M. Palmeter, Purling.

##### TEXAS

Charles P. J. Ledwidge, Beaumont.

## HOUSE OF REPRESENTATIVES

FRIDAY, January 30, 1925

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, again we are waiting for the presence of Thy Spirit. The impulse that we have to offer Thee our homage is inspired by our Creator's voice within. Always may we covet and seek the best things—treasure them up, love them, and cheerfully follow their precepts. Toward the day's work may we set ourselves with happy hearts and new desires. In every relationship which we bear to our country and to society help us to be beneficent servants and wise men. With us, O Lord, things are so often partial and uncertain. Do Thou forgive our delays and omissions. Increase our faith in Thee as our God and whatever betides may we not fail. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### CORRECTION OF RECORD

Mr. BROWNING. Mr. Speaker, I desire to correct the Record. On page 2727, line 10, first column, after the words "should be" insert "held out."

The SPEAKER. Without objection the correction will be made.

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. JONES. Mr. Speaker, I ask unanimous consent that after the gentleman from Ohio shall have concluded, I may be permitted to address the House for 15 minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that after the conclusion of the remarks of the gentleman from Ohio that he may address the House for 15 minutes. Is there objection?

Mr. LINTHICUM. Mr. Speaker, reserving the right to object, upon what subject?

Mr. JONES. On the Agricultural Commission report.

Mr. LINTHICUM. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

#### CALL OF THE ROLL

Mr. SNELL. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. It is clear there is no quorum present.

Mr. SNELL. I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

#### [Roll No. 42]

Barkley	Curry	Hull, Tenn.	Michaelson
Bell	Dallinger	Johnson, W. Va.	Miller, Ill.
Boylan	Dickstein	Johnson, S. Dak.	Mills
Brand, Ohio	Dominick	Kent	Montague
Briggs	Doughton	Kiess	Moore, Ill.
Britten	Drewry	Kindred	Morin
Buckley	Eagan	Langley	Nelson, Wis.
Burdick	Edmonds	Larson, Minn.	Newton, Mo.
Carew	Evans, Iowa	Lee, Calif.	Newton, Minn.
Casey	Freeman	Lee, Ga.	Nolan
Celler	Fulmer	Lindsay	O'Brien
Clark, Fla.	Goldsborough	Logan	O'Connell, N. Y.
Clarke, N. Y.	Graham	McFadden	O'Connell, R. I.
Connolly, Pa.	Griffin	McKenzie	O'Connor, La.
Cooper, Ohio	Hall	McNulty	O'Connor, N. Y.
Croft	Haugen	MacLafferty	O'Sullivan
Cummings	Hawley	Mead	Oliver, N. Y.



Paige	Roach	Taber	Weller
Peavey	Rogers, Mass.	Tague	Wert
Perlman	Rouse	Taylor, Colo.	Wilson, Miss.
Porter	Sanders, N. Y.	Tincher	Winslow
Prall	Schafer	Tinkham	Wolff
Quayle	Schall	Tucker	Yates
Rathbone	Sherwood	Upshaw	Zihlman
Reed, N. Y.	Smithwick	Voigt	
Reed, W. Va.	Sullivan	Ward, N. Y.	
Reid, Ill.	Swoope	Ward, N. C.	

The SPEAKER. On this call 326 Members have answered to their names—a quorum is present.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

#### PARTY REGULARITY

The SPEAKER. By special order of the House the gentleman from Ohio [Mr. LONGWORTH] is entitled to address the House for 20 minutes. [Applause.]

Mr. LONGWORTH. Mr. Speaker, in an address yesterday the gentleman from Wisconsin [Mr. FREAR] made the following opening statement:

The press of January 10 quotes a statement of House Majority Leader LONGWORTH to the effect that 15 or more Members of Congress are to be punished.

And later on he said:

My protest is voiced in no spirit of controversy, but against repeated warnings of prospective torture rather than against their eventual execution and right to be heard before the execution.

I want at the outset to correct the impression that I or anyone I know of has any intention of torturing or punishing anybody, much less of executing them. Punishment and torture imply a hostility, a feeling of rancor, and execution, legal execution at least, is expiation for a crime committed. Now, I have no feeling of hostility toward any Member of this House from Wisconsin or anywhere else who supported the La Follette-Wheeler ticket in the last campaign. On the contrary, I admire many of them very greatly. I have a feeling of most profound respect and liking for the gentleman from Wisconsin [Mr. COOPER]. I consider him a most admirable character in every way. He has been in the past a valuable member of the Republican Party. I wish he were a Republican to-day. I wish he would come back and join our party, and we will welcome him when he does. [Applause]. I served for many years on the Committee on Ways and Means with the gentleman from Wisconsin [Mr. FREAR], for whose ability and character I have the highest regard. He was a valuable Republican in the past. I wish he were a Republican to-day. I wish he would come back to our party and we will welcome him with open arms. [Applause]. No crime has been committed for which execution could be justified. On the contrary, these gentlemen merely exercised the right any American citizen has to support a cause that he believes to be for the best interests of the country. These gentlemen believed evidently that the election of President Coolidge and the carrying forward of the Republican program and of Republican principles was injurious to the country, and they therefore supported Senator LA FOLLETTE for President, and did all they could to defeat President Coolidge and to elect their candidate. In a large number of cases they did their utmost to defeat at the same time Republican candidates for Congress in other States.

They had a perfect right to do this. They did it with the utmost deliberation. But while they expected and hoped, no doubt, for victory, they must at the same time been prepared to take the consequences of defeat. [Applause].

Surely no sane man could have believed that the consequences of defeat should have involved anything less than divorce, temporarily at least, from any advantages to be gained by membership in the victorious Republican Party.

In meeting the conditions here in the House of Representatives which have eventuated as the result of the last election, I and others who think as I do have no thought of punishment, or torture, or execution of any of the gentlemen who deliberately parted with us in the last campaign. We are merely meeting the conditions as we find them and are doing so without the slightest feeling of rancor or hostility.

The gentleman from Wisconsin [Mr. FREAR] based his remarks on the newspaper report of a speech delivered by me in New York on January 10 before the Ohio Society, and in order that there may be no misconception as to exactly what I said on that occasion, I am going to read portions of that speech which dealt with conditions in the last Congress and conditions in the new Congress to come. I said—

The present Congress was not popular during the last session. No one will concede that more readily than I. The reasons for its unpopularity were various. First among them, probably, was that it was upon a number of occasions at odds with the policies of a very popular President. This was only natural, because it was composed of a greater variety of conflicting elements than any Congress in the last quarter of a century. At no time was there in it a responsible majority united in principle which could function in all matters of contested legislation. Frequently the actual majority was composed of utterly distinct elements united temporarily for expediency's sake only. In other words, we were experiencing for the first time in my knowledge the baneful effect of bloc government.

The House was organized by the Republicans with a majority of 15, but this was a paper rather than an actual majority. A group had been formed even before the Congress convened consisting of about 20 men, elected as Republicans, but styling themselves "Progressives," having a chairman, a secretary, and I have heard, a treasurer, and meeting daily as an entity, entirely separate and apart from the Republican organization. Frequently it dealt through authorized representatives directly with the Democratic organization. It was in fact a bloc, just as much as the Radical-Socialist bloc in the French Chamber of Deputies. I have not time to point out the evils of bloc government in the Congress of the United States. Such a system was not contemplated by the framers of the American Constitution. It simply will not work here. Under our system there must be an actual and reasonably cohesive majority in the House which must assume responsibility for success or failure and be answerable to the people every two years. In no other way can party platforms and pledges be redeemed. In America, at least, legislation ought to be the result of deliberation and debate in the open and not of whispering among groups and back-alley trading. There must be teamwork, too, between Congress and the Executive, certainly if the Executive be a member of the majority party in Congress.

I am by no means advocating that Congress should be a rubber stamp for the execution of the Executive will. I am utterly opposed to Executive domination of the legislative branch of the Government, just as I would be opposed to legislative domination of the Executive, but that does not mean that a just balance between these two great constitutional branches can not be preserved with both functioning in friendly cooperation.

I am confident that this situation will exist in the next Congress. I firmly believe that the tremendous majority polled by my party in the last election was in great part a protest against the bloc system and in favor of responsible majority government.

In all that I have said I do not want to be construed as admitting the justice of all the criticism leveled at the present Congress during the last session. Rather, I have been detailing the difficulties attending the making of what, in my opinion, was an extremely creditable record as regards quantity and quality of performance.

I then went on to enumerate some of those things that were accomplished in the last Congress. Later, I said:

I look forward to the next Congress in confident belief that it will be one of the most efficient legislative bodies in history. We will have a clear working majority in both branches. The House will be composed of 247 Republicans, as against 183 Democrats and 5 third-party Members. Of the 247 Republicans at least 12 openly supported the third-party candidate and opposed the election of the Republican candidate. Some of them even went so far as to leave their States and campaign against Republican candidates for Congress and in favor of Democratic candidates.

These men can not and ought not to be classed as Republicans in the next Congress. They left the Republican Party deliberately and did everything possible toward its undoing. Their leaders admit that from the first they carried the fight to the Republican ticket in the campaign. They assert now that the fight has just begun. What shall we do with these gentlemen in the next Congress? Shall we take them to our bosoms and keep them in the inner chambers of our party councils? To do so, in my opinion, would be to deliberately ignore the mandate of the last election, by which the Republican Party was commissioned to carry out a definite legislative program and to adhere to certain fundamental governmental policies. As I interpret that mandate, it imposes upon us the duty of seeing that the machinery to execute it shall be made as efficient as possible, and surely that could not be done if we were to put in key positions in the next Congress men who have opposed and are opposing that progress, and who have sought and are seeking the destruction of the very foundations upon which, as we hold, our governmental structure is based.

I have said that in a number of cases these gentlemen not only advocated the election of their leader for President and of Senator WHEELER, a Democrat, so-called, for Vice President, but went into other States campaigning not only vigorously for the election of their national ticket, but opposing the election of Republican candidates in other States for the Senate and for the House.



In the remarks of the gentleman from Wisconsin [Mr. FREAR] you will find interjected a quotation from the speech of the gentleman from Wisconsin [Mr. BROWNE], delivered in Pawtucket on October 29. I want to make that a part of my speech too. [Laughter.] I read:

Directing a series of charges against both major political parties for their alleged failure in the past six years to purge the Government of wealth-seeking officials, to restore millions of dollars to the Treasury that had been stolen by "political bootleggers and high-toned robbers" and to maintain any consistent policies of economy, Congressman EDWARD BROWNE of Wisconsin pleaded last night before an audience of more than 250 people in Veteran Firemen's Hall, School Street, Pawtucket, for undivided support of the national ticket of LA FOLLETTE and WHEELER and the State ticket of Flynn, Toupin, and O'CONNELL.

I quote only a part of this article. I read further:

Speaking briefly on the men running on the Democratic ticket in this State, Mr. BROWNE said O'CONNELL is a hard worker and has "voted just the way I did."

"Your lieutenant governor is an independent and should be elected governor, for he has a big amount of backbone," the speaker added. "If I were a Republican in this State I would vote for Mr. Flynn for senator."

Mr. TREADWAY. Mr. Speaker, will the gentleman yield for a moment?

Mr. LONGWORTH. I yield to the gentleman.

Mr. TREADWAY. The gentleman from Ohio referred to the remarks of the gentleman from Wisconsin [Mr. FREAR] yesterday, and at that time there was a reference made to a meeting which he addressed in Boston.

Mr. LONGWORTH. I recall it.

Mr. TREADWAY. I asked the gentleman from Wisconsin if he had any recollection of that incident in the congressional campaign, and he said not to his recollection. He has told me since making the address that his recollection of the meeting is contrary to the press accounts of that meeting. I wish to quote from three Boston newspapers, if the gentleman will allow me.

Mr. LONGWORTH. Certainly.

Mr. TREADWAY. The Boston Transcript contained these remarks:

The speaker attacked the administration in Washington and lauded LA FOLLETTE as the man who "is bringing the Government back to the people." During his speech he praised Congressman PETER F. TAGUE, who is running for reelection on stickers.

The Boston Herald, in its account of the same meeting, quotes Mr. FREAR as saying:

You have here in Boston a man, PETER TAGUE, who stands right on everything. I'm a Republican and he's a Democrat, but on these things we think alike.

The Boston Globe carries in large headlines this:

FREAR gives TAGUE a boost.

And in the course of the "boost" it says:

He indorsed the candidacy of Congressman PETER F. TAGUE, "my old friend PETER TAGUE. He was a Democrat and I a Republican, but we thought alike, and fought alike, and licked the Mellon bill together."

[Laughter.]

If I may be permitted, Mr. Speaker, I have the very highest admiration for my colleague from Massachusetts, PETER F. TAGUE; but I should not expect to indorse him running for reelection any more than I would expect him to indorse me. [Laughter.]

Mr. FREAR. Mr. Speaker, will the gentleman yield?

Mr. GALLIVAN. Mr. Speaker, will the gentleman yield right there?

Mr. LONGWORTH. I will yield first to the gentleman from Wisconsin.

Mr. FREAR. I desire to say that at that meeting held on the Boston Common there was no discussion of Congressman PETER TAGUE, and although I was with PETER TAGUE that day, it must be that some one told the newspapers, because the three accounts are alike. I never made such statements. They are impossible. I never made them at any place, and I challenge anyone to contravert that.

Mr. GALLIVAN. I just want to ask my colleague from Massachusetts, through the distinguished leader who now has the floor, whether or not there is any Republican Party in the district so ably represented by Congressman TAGUE. [Laughter.]

Mr. KING. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. KING. I want to ask the gentleman from Ohio whether, after all, he does not think the proper place and proper tribunal to try these alleged regicides is in the Republican caucus and not on the floor of this House?

Mr. LONGWORTH. I will call the gentleman's attention to the fact that I have not started this. [Laughter.]

Mr. KING. But the gentleman is engaging in it, and he is engaged in using the House as a political laundry.

Mr. LONGWORTH. The gentleman from Ohio was induced to make these remarks by the remarks made by the gentleman from Wisconsin [Mr. FREAR].

Mr. KING. What does the gentleman think about the Republican caucus taking up this matter?

Mr. LONGWORTH. I do not yield further.

Mr. KING. All right, but the gentleman has not answered my question.

Mr. LONGWORTH. Of course, I accept the statement of the gentleman from Wisconsin [Mr. FREAR]. This much, however, is true, that the La Follette organizations in Massachusetts had indorsed the Democratic candidate for Senator, and the gentleman from Wisconsin [Mr. FREAR], by his presence on the platforms with such candidates, was putting himself on record as being opposed to the election of the Speaker of this House to the Senate of the United States. There can be no question about that.

Mr. FREAR. There was no candidate on the platform at this meeting, and it was not a political meeting of that character. It was a labor meeting held on the Boston Common.

Mr. LONGWORTH. Of course, as I say, I accept the statement made by the gentleman, but the gentleman may not realize the extent to which other people thought he was involving himself by attending such a meeting. But there were other gentlemen from Wisconsin who went around the country urging the election of Democratic candidates and the defeat of Republican candidates. I hold in my hand a telegram addressed to the gentleman from Pennsylvania [Mr. SHREVE], signed by Thomas M. Finn, who is a conciliator of labor operating between New York and Chicago and whose home is in Erie, Pa. He was present at a meeting which was addressed by the gentleman from Wisconsin [Mr. SCHAFER], and in this telegram to Mr. SHREVE he said:

SCHAFER viciously attacked party at Erie meeting. He urged election of LA FOLLETTE and belittled Congressmen, urging voters to elect candidates who had received that indorsement.

Mr. SCHNEIDER. Will the gentleman yield?

Mr. LONGWORTH. I can not yield at present.

Mr. SCHNEIDER. I would like to correct the gentleman's statement—

The SPEAKER. The gentleman declines to yield, and the gentleman can not interrupt him.

Mr. LONGWORTH. I will yield to the gentleman later, but I can not at this moment because I want to proceed with an orderly discussion of this matter. What the gentleman from Wisconsin [Mr. SCHAFER] said was this. Some one in the audience said:

How about the Republican Congressman from this district, Mr. SHREVE?

The gentleman from Wisconsin [Mr. SCHAFER] said:

I have never seen him and I never heard of him.

[Laughter.]

Now, as we all know, the gentleman from Pennsylvania [Mr. SHREVE] is one of the most active and able Members of this House. [Applause.] He has charge upon the floor of one of the very great appropriation bills, and for a man not to know or not to have heard of Mr. SHREVE argues, to put it charitably, that he himself does not attend the sessions of this House. [Laughter.]

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent to continue for 10 minutes more.

The SPEAKER. The gentleman from Ohio asks unanimous consent to continue for 10 additional minutes. Is there objection.

There was no objection.

Mr. THOMAS of Kentucky. Will the gentleman yield?

Mr. LONGWORTH. I yield to the gentleman from Kentucky.

Mr. THOMAS of Kentucky. I would suggest to the gentleman from Ohio that this seems to be a Republican caucus, and properly Democrats ought not to be present. [Laughter and applause.]



Mr. LONGWORTH. Mr. Speaker, my reply to the gentleman from Kentucky is that if this is a Republican caucus others than Democrats also ought not to be present. [Laughter.]

I now quote from an interview with the gentleman from Wisconsin [Mr. NELSON], which appeared in the Boston Herald of October 3. Mr. NELSON said:

But if Coolidge is elected the progressive bloc will be so strong that it will absolutely dominate both Houses. We can hamstring the President. We can impeach him if we like and if he displeases us enough. We can put through or prevent legislation as we please. We will be kingpin.

The article continues:

Mr. NELSON drew an imaginary string around the neck of an imaginary bag in which Mr. Coolidge was figuratively placed.

"And in 1928?" the writer asked.

"In 1928," Mr. NELSON laughingly replied, "We'll have both the Presidency and Congress, thanks to the mess we will make of the Coolidge administration."

That is the statement made by the leader of those gentlemen who want to be received back and enjoy the highest honors that can be accorded to members of the Republican Party.

Mr. SCHNEIDER. I think the gentleman ought to yield to me now.

Mr. LONGWORTH. I now yield to the gentleman from Wisconsin.

Mr. SCHNEIDER. With reference to a visit by a Wisconsin Member to the district of the gentleman from Pennsylvania [Mr. SHREVE], the gentleman's statement is entirely incorrect, and in justice to the gentleman from Wisconsin [Mr. SHAFER], I think I should state the fact that he was not in the district at all or in the State. It happened to be I who was there.

Mr. LONGWORTH. Oh.

Mr. SCHNEIDER. Yes; and the whole statement is a fabrication. Neither in the district of the gentleman from Pennsylvania [Mr. SHREVE] nor in any other district in Pennsylvania where I spoke, did I mention any of the Congressmen or discuss that question. [Applause.]

Mr. LONGWORTH. I am delighted to hear it.

Mr. LINEBERGER. Will the gentleman yield?

Mr. LONGWORTH. I yield to the gentleman from California.

Mr. LINEBERGER. I want to say to the gentleman that politically the same situation which he has defined here existed in my district: The vice presidential candidate on the La Follette ticket came to my district at the request of independents and so-called La Follette Republicans and made a speech, and on the platform was the perennial chameleon Democratic-Prohibitionist-Socialist candidate, who sat with him on the platform. He (Mr. WHEELER) denounced me and all other local Republican candidates by name. [Laughter and applause.] He also viciously attacked the Republican presidential and vice presidential candidates, and these radical La Follette Republicans led the applause.

I want to observe that if the gentlemen on the Democratic side had been there they would not have approved of what this so-called Democrat said.

Mr. GARRETT of Tennessee and Mr. KING rose.

Mr. LONGWORTH. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Do I understand, then, it is the thought of the gentleman from California that the candidate for Vice President should be excluded from the Republican caucus? [Laughter and applause.]

Mr. LINEBERGER. If I might be permitted to suggest it to the gentleman, I would say he should be excluded from the Democratic caucus.

Mr. LONGWORTH. I think the gentleman from Tennessee will agree to that. [Laughter.]

Mr. KING. Will the gentleman yield?

Mr. LONGWORTH. I yield.

Mr. KING. I want to present in support of the gentleman's testimony some testimony of my own to the effect that in 1912 I was denounced in my home town by Theodore Roosevelt for being a hidebound, regular Republican supporting William Howard Taft. [Laughter and applause.]

Mr. LONGWORTH. The situations are not at all parallel. In 1912 the progressives separated entirely from the Republican Party. They formed a party of their own. They nominated candidates not only for President and Vice President but for the Senate and the House. None sought the advantage, if they believed it to be an advantage, of running under the Republican emblem. They did no masquerading. They ran frankly and avowedly as members of a third party. They made no attempt

to sell their goods under a misleading label. In this recent third-party movement, however, there was no avowed separation from the Republican Party except only in the case of the candidates for President and Vice President. The 10 gentlemen from Wisconsin, the gentleman from Minnesota, Mr. KELLER, and the gentleman from North Dakota, Mr. SINCLAIR, used the Republican emblem to forward their cause, although they were opposing the Republican candidates for President and Vice President and Republican candidates generally. As I have just observed, no possible parallel can be drawn between the situation to-day and the situation at the time of the progressive movement.

The gentlemen all have before them precisely the opportunity that members of the progressive movement in 1912 had to come back to the Republican Party where Theodore Roosevelt would be if he were alive to-day as an earnest and sincere supporter of Calvin Coolidge. [Applause.]

It seems to me with such a record very recent in history, these gentlemen can not properly demand recognition in the councils of the Republican Party and the enjoyment of honors and distinctions conferred on men who have been sincere and loyal in their support of the Republican Party. Indeed, my only surprise is that they should want to, much less ask to, yet they are asking it and express indignation that I and others have intimated they ought not to be given key positions on committees in the next Congress.

But some may say that Senator LA FOLLETTE and his followers have experienced a change of heart or of mind since the election. The fact is that their leader certainly is now, if anything, more aggressively anti-Republican than he was before the election. I hold in my hand a newspaper clipping reading as follows:

MADISON, Wis., November 23.

"The progressives will not be dismayed by the result of the election" is part of a declaration over the signature of Senator ROBERT M. LA FOLLETTE which is run across the top of the first page of the November issue of La Follette's Magazine, published here. The Senator goes on:

"We have just begun to fight. There can be no compromise on the fundamental issues for which we stand."

Under the caption, "Forward, progressives, for the campaign of 1926," Senator LA FOLLETTE proceeds in a signed editorial appeal to explain the defeat of his forces in the November election as follows:

"The American people have returned to power the Republican Party, with its record of corruption and subservience to the dictates of special privilege."

It goes on to enumerate a number of things of this sort and then says:

"And yet I am wholly unable to believe that the election of Mr. Coolidge can be accepted as an indorsement of the Harding-Coolidge record by the American people. I have too much faith in the integrity of the plain people of our country. I believe that the Republican landslide resulted wholly from other causes."

"From the first the progressives carried the fight to the Republican ticket in the campaign."

There is the milk in the coconut, gentlemen. [Applause.] That is the statement of the third-party leader in reference to the past, and what does he say of the future?

The progressives will close ranks for the next battle. We are enlisted for life in the struggle to bring government back to the people. We will not quit and we will not compromise. Five million strong, we are determined to break the power of the private monopoly system. Without money and with little organization, we have shaken the mighty in their seats. We have two years in which to rally and consolidate our forces, perfect every detail of organization, and be fully prepared to face and overthrow the enemy of free government.

Our task is great, but our cause is greater.

Forward, progressives, for the campaign of 1926!

Mr. WEFALD. Will the gentleman yield?

Mr. LONGWORTH. I yield.

Mr. WEFALD. I am glad the gentleman has sounded the battle cry for 1926.

Mr. LONGWORTH. Our battle cry for 1926 is the return of the Republican Party to the control of Congress with even a greater majority than now [applause]; but the La Follette battle cry voiced with approval by the gentleman is to oust the Republican Party from control of this House in 1926. That is the vital and compelling reason why we can not afford, why we would not be true to our consciences, to our constituents, to the verdict of the American people, to put these men in key positions, where their sole object would be to do everything they could to defeat and to ruin us. That is the entire question involved here.

Speaking of reading people out of parties—



The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. WINGO. Mr. Speaker, I ask that the gentleman may have 10 minutes more.

Mr. LONGWORTH. I thank the gentleman.

Mr. WEFALD. I ask that the gentleman may have an hour. [Laughter.]

Mr. LAGUARDIA. Reserving the right to object.

Mr. LONGWORTH. I am about to refer to the gentleman now. [Laughter.] I want to say something complimentary to the gentleman.

Mr. LAGUARDIA. Mr. Speaker, at the completion of the gentleman's remarks I am going to ask unanimous consent to address the House for 10 minutes.

Mr. BROWNE of Wisconsin. Reserving the right to object, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. The gentleman from Texas [Mr. JONES] has the right to address the House at the conclusion of the remarks of the gentleman from Ohio.

Mr. BROWNE of Wisconsin. Then I will ask for 10 minutes at the conclusion of the remarks of the gentleman from Texas.

The SPEAKER. Is there objection to the request of the gentleman from Ohio that his time be extended 10 minutes?

There was no objection.

Mr. LONGWORTH. I have said that my only surprise at this situation is that these gentlemen should have any desire to participate in a Republican conference, for the time being at least, or occupy positions on committees which involve certain party obligations.

I read from an article published in the Star-Eagle of Newark, N. J., of December 12, 1924:

Members of the La Follette bloc in the House intend to cling to their Republican labels and to resist any attempt to remove them from their present committee assignments.

This is indicated by the reaction of Representative JOHN NELSON, of Wisconsin, to the declaration of Representative NICHOLAS LONGWORTH, the majority leader, that just that should be done. NELSON was Senator LA FOLLETTE's campaign manager in the late presidential contest. With his Wisconsin colleagues he bolted the Coolidge-Dawes ticket, repudiated the Republican platform, and tried to wreck the G. O. P.

LONGWORTH asserted that NELSON and his followers had read themselves out of the Republican Party and, no doubt, would no longer wish to humiliate themselves by accepting favors from it, but that isn't the way NELSON sees it.

"I do not believe when the time comes to organize the new House they will do such a thing as LONGWORTH indicates," he said. In the first place, I think they will reach the conclusion that it would not be wise. In the second place, I do not believe they will have the power to carry out their threat. In the third place, if they do it they will arouse our constituencies to the fighting point and will send every one of us whom they are trying to persecute back to Congress with increased majorities.

"From what source, I would like to know, does Mr. LONGWORTH derive his right to pass on the Republicanism of other Members of Congress? He doesn't like my kind of Republicanism, and I'll tell the world that I don't like his brand. Still, if his brand is the brand that Cincinnati wants, what business have I to interfere?"

Our brands are not the same, I rejoice to say, because Cincinnati wants a Republican who will stand by the President. [Applause.]

The article continues:

"Mr. LONGWORTH intimates that I am not a Republican and that I ought to be disciplined for not being regular. Well, if he punishes me, he punishes my constituents, and there is not the least doubt in the world what they will say about it. What is true of me is true of the others in our group. All of us came back here as Republicans except Representative LAGUARDIA, of New York, who was elected as a Socialist."

[Laughter.]

Here is a gentleman who criticizes my right to read men out of my party and at the same time picks on the gentleman from New York [Mr. LAGUARDIA] and reads him out of his party. [Laughter and applause.]

Gentlemen, the situation is simple. The Republicans will have an effective majority in the next House. We are commissioned by the people to do certain things and refrain from doing certain other things. We are intrusted by the people to uphold the Constitution of the United States, to maintain the dignity of the courts, and men who do not think with us ought not to attempt to act with us. [Applause.]

Now, that is all I care to say about this situation. To me it is perfectly simple. We are not punishing anybody; we are not torturing anybody; we have the highest regard

for these gentlemen who read themselves deliberately out of our party. We will welcome them back at the first opportunity when they evince any desire to come back and qualify as Republicans. In the meantime it is our duty to carry out the mandate of the people in the last election—to carry forward the Republican program and Republican principles unimpeded by men who are for the time being at least our enemies. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes, and I ask the gentleman from Texas if he is willing to give way?

Mr. JONES. I am.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for 10 minutes. Is there objection?

Mr. LOWREY. Mr. Speaker, reserving the right to object, I think gentlemen on this side of the aisle have thoroughly enjoyed the entertainment furnished by gentlemen on the other side of the aisle and we are willing for its continuance. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Speaker and gentlemen of the House, I listened yesterday to the address of my colleague from Wisconsin [Mr. FREAR], and I have listened to-day to the address of our floor leader—I may still call him my leader until next March—

Mr. LONGWORTH. Whom will the gentleman call his leader after the 4th of March?

Mr. LAGUARDIA. I do not know, we have not "caucused" yet. [Laughter.] Mr. Speaker, now that everybody seems to want to make a record, I want to say that as far as I am concerned that in the month of October, 1924, I did not give the Republicans any quarter, and I shall not ask for any quarter in January, 1925. [Applause.] I know exactly where and how I stand, I knew how I would stand when I declared myself before the primaries. Nothing that is now happening is of any surprise to me. I supported and voted for Senator LA FOLLETTE for President, and I have no apology to make. What I can not understand is this: If my colleagues from Wisconsin are going to be excommunicated from the party, what are you going to do with the Republican candidates for Congress in New York who plastered their districts with posters announcing that they had been indorsed by the "Progressives"? The gentleman from the fourteenth [Mr. PERLMAN] on the eve of election day caused to be sent out a letter that he was indorsed by the progressives. The Republican candidate in the district just below mine, the eighteenth district, had posters announcing that he was a Republican and the progressive candidate. The Republican candidate for sheriff in New York County filed petitions under the emblem of the Liberty Bell as a progressive, and finally public opinion became so strong that he withdrew them. [Laughter.] And was defeated afterwards—now laugh!

Gentlemen, I am not going to cause you any embarrassment. You can put me on any committee you desire or take me off any committee you desire, but you can not take me out of the Committee of the Whole. [Applause and laughter.] In order to cause my own committee and its chairman no embarrassment as to my position on the committee, before this Congress adjourns I shall resign from it, so there shall be no question as to my place on any committee. I am not speaking for anyone else, but I can not for the life of me see how anybody would want to break into the Republican caucus.

I really can understand the theory of punishment for irregularity, but my first experience of party punishment was for regularity. Let me tell you what happened to me in New York. They have a perfect right to bar me and read me out of the party now, but my fight with the Republican Party started when I carried the Republican ticket in New York City in 1919. They were then very much disappointed. When I was elected president of the board of aldermen, Mr. Floor Leader, carrying the straight Republican ticket and without fusion in a municipal election for the first time, the party was so surprised that they started a fight on me. The Republican legislature, in keeping with the chagrin of the city Republicans, was so embarrassed that I should have carried the city of New York—and the distinguished speaker of the assembly is here now—that they raised the salaries of every Democratic member of the board of estimates, but did not raise mine. [Laughter and applause.] Do not for a moment think that I am going to lie down, but I am not going to fight here with my colleagues from the West. They have nothing to do with our local fight. I am going to conduct my fight in my home town, where the Republican vote



is steadily fading away, where in the county of the Bronx the party can not possibly carry the ticket—and loses it every year by 5 to 1—and where in the great county of Kings you have not a single Republican Congressman.

My fight is not with you Republicans of the West. We have our fight in New York City. I serve notice now that I shall fight in New York City, and they can keep me out of their caucus, but I can keep them out of the city hall in New York City. [Laughter and applause.] We have our own conditions there, Mr. Floor Leader, and we will fight it out there. As to standing by President Calvin Coolidge, I invite my Republican colleagues to stand by him on the Coolidge rent law. Are you going to do that? If you want to stand by your President, you gentlemen from Massachusetts, why did you not stand by him in his fight for the child labor amendment? Answer that, if you can. You will have plenty of opportunity to stand by him, if you want to stand by him. Why do you not stand by him in his recommendation to take the political bums out of the prohibition service and put in good men under civil service? Why do you not stand by Coolidge there?

Mr. BACON. We have passed such a law.

Mr. LA GUARDIA. No; you did not pass any such law, and you are not going to pass such a law. You will have plenty of opportunity to stand by the President; and, speaking for myself, I shall stand by him on those measures, and wherever I think he is right. Not being bound by caucus rules, I hope to be able to legislate intelligently.

I hope that my progressive friends will not worry unduly. If these Republicans will not invite us to their conference or caucus we will not invite them to ours. [Laughter.] There is nothing to worry about. Either contender for the Speakership, I am sure, will make an impartial Speaker; but whoever it is he will have to go some to come up to the record for impartiality established by the present Speaker [Mr. GILLET] and his predecessor, Champ Clark. [Applause.] Talking about party candidates, Mr. Speaker, I did all I could with my friends in Massachusetts, and I did it openly. I supported Speaker GILLET for the Senate, and I do not hesitate to say it. We had no candidate there for the Senatorship.

Mr. VAILE. Oh, you will be read out of the La Follette party soon, if you do not watch out.

Mr. LA GUARDIA. Nobody can read me out of any party. [Laughter.]

Now, just a moment, please. Let us understand each other. By refusing to permit my colleagues from Wisconsin and some of us to confer with you in conference or caucus you have recognized our entity as a party. You can not get away from that. Therefore in the assignment of committees you must necessarily give us our proportion of places on all major committees.

Mr. VAILE. Whom does the gentleman mean by "us" and "our"?

Mr. LA GUARDIA. Oh, I refer to the farmer-labor Members from Minnesota, the gentlemen from Wisconsin, and your humble and inconspicuous servant from New York, and all those who think as we do and are not invited to your conference.

Mr. VAILE. Then why do not these gentlemen from Wisconsin recognize the gentleman?

Mr. LA GUARDIA. Oh, give me a chance; give me a chance. I hope then that you gentlemen of the majority will give the minor minority proper accommodation for offices and a party clerk. Surely we are here, belong somewhere, and should have the privileges as well as the disadvantages of a minority. You can not simply wipe us off the map. If we are no part of you, then we have some standing on this floor, and all I ask is that when the time comes for fixing the proportion of committee assignments the minor minority shall be recognized as such, and I assure you we will take our small and humble part in the activities of the House. [Applause.]

Mr. JONES. Mr. Speaker, in view of the interest that is being manifested in the matter under discussion, and the desire of some other Members to speak upon the subject, I ask unanimous consent that my time be transferred from to-day to to-morrow, and that to-morrow, after the reading and approval of the Journal, I be permitted to address the House for 20 minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent that he have 20 minutes to-morrow after the reading of the Journal instead of to-day. Is there objection?

There was no objection.

Mr. BROWNE of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWNE of Wisconsin. Mr. Speaker and gentlemen, the distinguished gentleman from Indiana [Mr. Wood] pro-

posed yesterday to not only read the Republican Representatives of Wisconsin out of the Republican Party, but made the statement that there had not been any Republican Party in Wisconsin for a great many years. He seems to differ very materially with a distinguished citizen of Indiana, a great historian, an impartial student, a man who occupies a high position in his own State, in the State University of Indiana. I refer to James A. Woodburn, who pays a high tribute to the men who have not been afraid to bolt a party nomination when they thought it was for the best interest of their country to do so.

I read from James A. Woodburn, a writer and historian of national reputation, who, in his work on Political Parties and Party Problems in the United States, which has been so popular that three editions have been published, makes the following observations on independents and party loyalty:

A party is not a mere club, with tests of membership apart from, or above its principles. It can not exact pledges to obey orders or to vote for all nominees that an obedient party machine may offer.

This distinguished man further says in his late edition:

It is urged in behalf of party loyalty that parties are necessary to popular government; that they are expensive to organize and maintain, and that they should not be weakened and disorganized for transient and trivial reasons; that the "united wisdom" of the party is a safer guide than the individual judgment of any man, since "everybody knows more than anybody"; that, though the party may be temporarily wrong, the loyal party man should think of it as the party of his fathers that has rendered the country great services in the past, and the plea is made that its strength should be conserved for the sake of greater services in the future; that if men desert the party they weaken their influence for good government by weakening or destroying their influence with the party, thereby injuring their future usefulness; that men should not expect to keep "running in and out of a party"; that they should belong to a party completely, with loyalty and devotion, and not merely with spasmodic loyalty, giving no certainty of reliance or support; that if men bolt to a minor party it is but to "vote in the air" or "to throw away your vote" or to give a half vote to the enemy; and that to vote with the opposite party is, of course, "to turn the government over to its enemies." All that is bad in one party is urged by the advocates of the other as reasons against independent voting.

But this distinguished historian says, by way of commendation to the man who dares oppose the party leaders when he thinks they are wrong:

These are the usual party pleas, and many of them have weight. The natural party disposition of most men is to give them full force and effect. But sensible party men who make these pleas do not themselves surrender the "divine right to bolt." They know the need of a reasonable measure of personal independence, and they recognize that, throughout our party history, such political independence has been a constant and powerful influence in determining the course of political events. The history of American parties is full of illustrations: Salmon P. Chase, Charles Sumner, George F. Hoar, George A. Boutwell, Henry Wilson, and others who, as young men, left their party for their cause in 1848; Lincoln, Seward, Trumbull, Colfax, and all who were in at the making of the Republican Party in 1854 and 1856, and who, for their cause, were ready to see their old parties defeated and shattered; Horace Greeley, Charles Francis Adams, John M. Palmer, Whitelaw Reid, Murat Halstead, who, later in the history of the Republican Party, sought to bring it to defeat in 1872; Martin Van Buren, Samuel J. Tilden, David Dudley Field, William Cullen Bryant, among Democrats in 1848; Breckinridge in 1860; Cleveland, and Hill, and Henry Watterson, and others in 1896—all these renowned leaders and party managers among both the great parties have at times asserted their independence of party authority and have sought to compass their party's defeat. If party men by withstanding party authority are likely to lose influence with their party or weight in its councils—which is not always the case—it by no means follows that they weaken their influence over the course of events, or receive a more unfavorable judgment from history.

Gentlemen, this is what a disinterested historian of national reputation states, and I think his statement ought to have more weight, at least with people who are not hidebound partisans, than my distinguished friend from Indiana who is one of the extremists on party solidarity and believes in the slogan, "May my party always be right, but right or wrong, my party." [Applause.]

Now in regard to the acid test of party loyalty.

#### PARTY REGULARITY

What is the test of party regularity? Who has a right to determine what the test of party regularity shall be?

I have been unable to find any authority given to any class or group of men to make an acid test of party regularity or to define what party loyalty consists of.



The majority floor leader, Mr. NICHOLAS LONGWORTH, has been quoted by the press, and has verified it in his speech to-day, in effect, that every Republican who supported Senator LA FOLLETTE in the recent presidential campaign should be excommunicated from the party. This threat leads to the inquiry: What is the test of party regularity, and who is authorized to make the test?

The 10 Republicans who represent the State of Wisconsin received a total majority over their opponents of 322,749 votes. Every one of the 10 Republican Congressmen were nominated upon the Republican ticket. The almost unprecedented indorsement of the 10 Republican Congressmen, as shown by their large majorities, not only proves conclusively that they represent the principles of the Republican voters of Wisconsin, but the entire electorate of the State regardless of party.

Wisconsin, with its 10 Republican representatives, is now and has been in the past, one of the banner Republican States.

You can not read the 10 Republican representatives from Wisconsin out of the Republican Party without reading nearly half a million Republican voters who elected these Representatives by a majority of over 320,000 votes, out of the party.

Mr. HOWARD of Nebraska. Mr. Speaker, I regard this matter of exceedingly great importance, and I think we ought to have a quorum here, and I make the point of no quorum.

Mr. BROWNE of Wisconsin. I wish the gentleman would withdraw that.

The SPEAKER pro tempore. The Chair will count.

Mr. HOWARD of Nebraska. I am asking this out of compliment to the speaker; not otherwise.

Mr. BROWNE of Wisconsin. I wish the gentleman would withdraw that.

Mr. HOWARD of Nebraska. I will by request of the speaker.

Mr. BROWNE of Wisconsin. I would ask the gentleman to do so.

Mr. HOWARD of Nebraska. All right; I withdraw it.

The SPEAKER pro tempore. The gentleman from Nebraska withdraws his point of order.

REPUBLICAN PARTY OF WISCONSIN RECOGNIZED BY THE NATIONAL COMMITTEE AND BY PRESIDENT COOLIDGE

Mr. BROWNE of Wisconsin. The Republican Party of Wisconsin has a member on the National Republican Committee and is therefore recognized by the National Republican Committee. President Coolidge and Vice President Dawes ran in Wisconsin on the same Republican ticket as the governor, State officers, and Congressmen. The Coolidge and Dawes electors were selected at a State convention that adopted a platform that the Wisconsin delegation in Congress stood upon and spoke for. Senator LA FOLLETTE ran for President as an independent. The fact that Wisconsin Republican Congressmen, one or all, voted for the independent candidate for President can not and should not affect their status as Republicans.

If a group of Republican Congressmen, representing a majority at a Republican conference, claim the right to disregard or overrule the official expression of the Republican voters of a whole sovereign State because the Representatives of the Republican Party in that State have failed to vote for the presidential candidate of the Republican Party, or have failed to support certain measures advocated by the Republican President, then the same group could, in the same way, read out of the party the Republican Representatives of a dozen States.

I have looked over the legislative procedure in past Congresses, but I have failed to find, even in the palmiest days of bossism, any attempt to read out of the party the Republicans of an entire State. On the contrary, the precedents of both parties were against it. In the Bryan campaign a number of very prominent Democrats held a convention and supported the candidacy of Palmer and Buckner. Was there any attempt to read the supporters of Palmer out of the Democratic Party? Certainly not.

Now, my friend from Indiana [Mr. WOOD] chances to be a member of the congressional committee and calls this conference; this one man alone from the State of Indiana assumes the right to invite to that Republican conference just those Republicans that he thinks are Republicans. He could have left out two dozen or three dozen or four dozen Republican Members of Congress who held just as good credentials as his own. If he has a right to withhold invitations from a dozen Republicans, he could do it indefinitely without even giving a hearing. If the membership to the Republican Party depends upon the caprice of one or even three or four men, the foundation of the party is on very shaky ground. Some of the most distinguished Democrats in the United States bolted Bryan and

supported Palmer and Buckner, and they did not lose their standing at all in the Democratic Party. This was the same in the Roosevelt campaign. A distinguished man recently appointed as Secretary of State, Mr. Kellogg, was a strong supporter of Theodore Roosevelt. There are a great many men to-day in public life and many in this Chamber who supported Colonel Roosevelt for President. If you had applied the same acid test to the followers of Roosevelt, what would have been the result? The result would have been you would have read out of the Republican Party the Republicans of every State in the Union except two, Utah and Vermont. Those were the only States which supported Taft and the regular Republican Party.

Mr. LINEBERGER. Will the gentleman yield for a brief question?

Mr. BROWNE of Wisconsin. I will.

Mr. LINEBERGER. Is it not a fact, however, those men who were elected as progressives when Roosevelt ran for President came down here and took their seats as progressives and did not sit in the Republican caucus or have any part whatever in the organization of the House as Republicans?

Mr. BROWNE of Wisconsin. They formed a third party.

Mr. LINEBERGER. The gentleman has the same avenue open to him and his party.

Mr. BROWNE of Wisconsin. They organized a third party immediately. A third party in this case was not organized.

Mr. LINEBERGER. The La Follette party.

Mr. BROWNE of Wisconsin. Senator LA FOLLETTE ran as an independent.

Mr. LINEBERGER. An independent party, then.

Mr. BROWNE of Wisconsin. He did not allow his name to go under any of the different political parties; he ran as an independent. Another thing I want to call attention to is that after that one Congress and as soon as the Roosevelt followers were elected on the Republican ticket, they came to the Republican conferences and were treated like other Republicans. They did not go through any sackcloth and ashes and repentance period and did not change their views on political questions.

Mr. LINEBERGER. The gentleman and his associates can come back into the Republican Party.

Mr. BROWNE of Wisconsin. The gentleman says, "We can come back into the Republican Party." We claim that we are in the Republican Party, and we have our credentials from the Republican Party in Wisconsin, and if you or any group can read out of the Republican Party the Republicans of one State, then you can read out the duly elected Republican Representatives from 10 States, or as many as you care to.

Mr. FREAR. Mr. Speaker, will the gentleman yield?

Mr. BROWNE of Wisconsin. Yes.

Mr. FREAR. In the RECORD yesterday I showed that the man who sits at the head of the United States Senate had stated that he voted for Theodore Roosevelt for President. He is there to-day, and is continued in that other branch.

Mr. BROWNE of Wisconsin. Yes.

LA FOLLETTE RAN FOR PRESIDENT AS AN INDEPENDENT CANDIDATE

Senator LA FOLLETTE did not run for President as a third party candidate. He expressly stated that he was an independent candidate, using the following language:

I shall submit my name as an independent progressive candidate for President. If the hour is at hand for the birth of a new political party, the American people next November will register their will and their united purpose by a vote of such magnitude that a new political party will be inevitable.

The Wisconsin Representatives in Congress, so far as I know, supported the independent candidacy of Senator LA FOLLETTE for President. They supported the rest of the Republican ticket. They supported an independent candidate for President who received 696,299 votes more than Colonel Roosevelt received in his campaign of 1912 when he headed a third ticket.

In the 1912 campaign President Taft did not receive as many electorate votes as Senator LA FOLLETTE did in the 1924 campaign, Taft only receiving 8 electorate votes.

EFFECT OF SAME ACID TEST BEING APPLIED TO ROOSEVELT FOLLOWERS

If a group in the Republican Party, controlling a Republican conference, had applied the same acid test to the followers of Colonel Roosevelt in the campaign of 1912 that the gentlemen from Ohio and Indiana desire to apply to the supporters of LA FOLLETTE in 1924, they would have turned out of the Republican Party a majority of the voters of that party in all the States of the Union, with the exception of the States of Utah and Vermont. The Republicans of the States of Utah and Vermont were the only ones who could have passed the acid test of party regularity, because they were the only ones who voted for the regular presidential nominee of the Republican Party.



## CORRECTION WILL NOT BUILD UP A PARTY

A large group of Congressmen representing strong Republican constituencies in a number of States believed that the rules that governed the House of Representatives should be amended. From experiences in the past, they had learned that if the House was organized, it was absolutely impossible to have an opportunity to discuss and amend the rules. A number of these Congressmen voted for HENRY ALLEN COOPER, a Republican from Wisconsin, who had been a Member of the House of Representatives for over 30 years and who was in every way highly qualified for Speaker, which caused a deadlock and prevented the organization of the House until the leaders agreed to set aside a time for the discussion of amendments to the rules. This group of Republicans then voted for the nominee of the Republican conference for Speaker and the House was organized and the rules were amended.

Many of this same group of Republicans voted against the revenue bill reported by a majority of the Ways and Means Committee. The compromised revenue bill that was passed by reason of the overturning of the majority report of the committee, passed the House of Representatives on the 26th day of May, 1924, by a vote of 376 to 9, and was constantly referred to by the Republican speakers in the campaign and in Republican literature as one of the great achievements of the Republican administration.

## PRAISES CONGRESS

Our distinguished floor leader, at the time of the passage, felicitated himself and his Republican colleagues in the following language:

I am ready to vote on this proposition. I think it is a fair and just tax bill. It may have some defects that I would prefer to have remedied, but the general proposition to reduce the tax by 50 per cent on the little fellow and 25 per cent on the big fellow can be justified anywhere in America. (Page 9788—CONGRESSIONAL RECORD, May 26, 1924.)

Our floor leader further said:

I am proud to say the House of Representatives is the dominant body in the Congress of the United States. We have not only legislated, but we have known how to legislate and how to carry out a program, and we have carried our legislative program so far and so consistently that this House will be ready to adjourn June 7, 1924.

If I may be pardoned another personal allusion, during the process of the consideration of this bill and afterwards, I was considerably criticized for what was termed "spineless leadership," because I did not insist that we were to have the Treasury tax bill or nothing. I thought then, and I think now, that it would have been mighty poor leadership to have taken that position. It seemed to me that no one who had in mind the experience of Congress in the last session in tax reduction could think it possible, even if desirable, to reduce the high surtaxes 50 per cent at one fell swoop. It could not be done, gentlemen, particularly if you only reduced the normal taxes 25 per cent.

Out of approximately 175 Members upon this side of the House who had voted last year for 32 per cent there was a nucleus of only 100 men returned to the House who could be confidently relied upon to vote for 32 per cent, or possibly 25 per cent. I felt it my duty, in so far as my party leadership was concerned, to try if at all possible, to unite my party on this question, and I think that course is justified by what we have seen. We had to go ahead on this side and write a sensible tax bill that would raise the necessary revenue. We did so without inviting any assistance from that side of the House.

## PATRONAGE

These two acts of insurgency, which were sanctioned by a large majority of the Republicans in the House, brought down upon the heads of part of the Republicans who assisted the wrath of the present administration, and it proceeded to withhold the small amount of patronage a Republican Congressman is given.

The right of a Member of Congress to recommend one of the three named persons placed on the eligible list for the position of postmaster or rural carrier by the United States Civil Service Commission was denied the Wisconsin Republican Congressmen. The recommendation for these positions was considered a matter of such tremendous and transcending importance by the administration that the fact that a Member of Congress had voted for a 40 per cent surtax instead of a 25 per cent surtax, as advocated by the Secretary of the Treasury, utterly disqualified such Congressman from assuming the awful responsibility of recommending one of the three candidates for the position of postmaster or rural carrier. No Wisconsin Congressman since his vote upon the revenue bill, which our distinguished floor leader characterized as a fair and just tax bill, has been

granted the consummate honor of telling the Postmaster General which of the three of his constituents on the eligible list would make the best postmaster or rural carrier.

COLONEL ROOSEVELT IN HIS PLATFORM OF 1912 SPOKE VERY EMPHATICALLY UPON THE MATTER OF WITHHOLDING PATRONAGE

His words were as follows:

We condemn the violations of the civil service law under the present administration. . . . His, the President's, distribution of patronage among subservient Congressmen while withholding it from those who refused support of the administration measures; his withdrawal of nominations from the Senate until political support for himself was secured, and his open use of the offices to reward those who voted for his nomination.

WHENCE DOES THIS DEMAND TO PUNISH CONGRESSMEN COME?

I can not believe that this intolerant spirit to seek revenge upon Republican Congressmen who, perchance, may differ with a majority of the Republicans on certain matters of legislation comes from any of the Members of Congress themselves, because a very large number of Members, even among those who pride themselves on their party regularity, would find that they could not qualify under their own acid test. The intolerant and vindictive spirit, in my opinion, comes from the outside, from people who do not know the real workings of Congress nor respect the dignity of this great parliamentary body. This demand comes from certain business men who would like to have the same rules in Congress that govern in their stockholders' and directors' meetings, where a majority can run roughshod over a minority and where minorities have no rights. If you will read some of the speeches of these Napoleons of finance and the editorials of the newspapers they control, you will see that these people wonder why the majority of the party do not whip in line or punish the minority. You hear them talk of "spineless leadership" for the purpose of prodding our leaders. They do not seem to understand that it was through the efforts of all the Republicans that the Republicans were able to organize the House, elect a Speaker and a floor leader. From some of the speeches of our financiers one would think that they really believed that a Member of Congress could be unseated because he failed to vote the way the party leaders directed, and have suggested that the country would be better off without Congress and that we ought to have a Mussolini in every State in the Union, presumably to do what Mussolini is doing in Italy, making a mere debating society out of the Italian Parliament.

CERTAIN MEN WOULD STAMP OUT ALL INDEPENDENT THINKING AND VOTING IN CONGRESS

The Literary Digest of May 10, 1924, in an article entitled "Leading Americans attack and defend Congress," sent out to its million and a half subscribers, the most brutal and savage attack ever made on the American Congress, and which, if made on either of the other departments of Government, would have met with an avalanche of rebuke from the press of the country.

I herewith quote from two noted financiers:

Bolshevism and Congress were coupled as menaces to the American Nation at a conference of the American Bankers' Association in New York last week. "With such agencies at work in the country as Bolshevism and the present United States Congress, we have some job on our hands to maintain the integrity of the Nation and the security of her institutions," said the speaker, Mr. Orrin Lester, of the Bowery Savings Bank. "The worst thing we have is our American Congress," declared Elbert H. Gary, chairman of the United States Steel Corporation, addressing the annual meeting of stockholders a few days earlier.

The editor then observes:

From presidents of chambers of commerce all over the country comes a sharp fire of criticism against our national legislators. Failure to enact the Mellon tax reduction bill is a heavy count against Congress, in the opinion of many of the chambers of commerce presidents.

These men do not want a Congress that does its own thinking. That is why they do not like the Sixty-eighth Congress. The Sixty-eighth Congress, however, fared better with the people than the one that preceded it, where nearly one hundred and fifty Republican Members were defeated.

## WHITELAW REID

Whitelaw Reid, at one time editor of the New York Tribune, ambassador to the Court of St. James, a friend of Lincoln, Grant, and Roosevelt, speaking of the tyranny of party, said:

No person can do a higher duty than to resist the majority when he believes it wrong—to assist the right of individual judgment and maintain it; to cherish liberty of thought and action against the tyranny of his own or any other party.



The main object of an old party becomes more and more the retention or the regaining of power. The great curse of our present politics is that your heated partisan never knows the other side. It seems to him that it is disloyal to be on the other side. The element now so sadly needed in our politics is consideration of every question on its individual merits and willingness always to hear the other side:

WHO HAS THE RIGHT TO MAKE AN ACID TEST OF PARTY LOYALTY? AND WHERE DO THEY GET THAT RIGHT?

I challenge the right of any group of Republicans to read a duly elected Republican out of the Republican Party because he votes according to his own conscience and best judgment, either in Congress or out of Congress.

If a majority of any party can meet in conference or secret caucus and excommunicate the entire delegation of the Republican Party of a sovereign State because the Republican delegation of that State have voted according to the wishes and instructions of people of their own State and failed to vote the way the majority of their party in Congress deem they should have voted, then the only recourse for a representative in the greatest legislative body in the world, if he does not agree with the majority of his party, would be to absent himself and dodge the vote, or stultify himself by voting against his own conscience. [Applause.]

The SPEAKER pro tempore (Mr. LEHLBACH). The time of the gentleman from Wisconsin has expired.

#### INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11505.

The SPEAKER pro tempore. The gentleman from Indiana moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11505. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Connecticut [Mr. TILSON] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11505, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11505, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 11505) making appropriations for the Executive Office and sundry independent executive bureaus, commissions, and offices for the fiscal year ending June 30, 1926, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

Mr. FISH. Mr. Chairman, I ask unanimous consent to offer an amendment to the preceding paragraph at the end of page 5. There was some confusion in the House last night when we reached that point.

The CHAIRMAN. The gentleman from New York asks unanimous consent to return to the paragraph indicated for the purpose of offering an amendment. Is there objection?

Mr. BLANTON. First we want to know what the paragraph is, and what the gentleman's amendment is.

Mr. FISH. It is the last paragraph on the page.

The CHAIRMAN. Without objection, the amendment will be reported for the information of the House.

Mr. FISH. It is at the end of the paragraph on line 4, page 5.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 5, line 4, after the figures "\$3,000,000," insert: "Such program shall include not less than \$25,000 for the erection of a historical monument to commemorate the services of the colored regiments of the American Expeditionary Forces attached to the French Army."

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. CONNALLY of Texas. Mr. Chairman, I make the point of order that that is legislation.

The CHAIRMAN. The amendment has not been offered at this time for adoption. There was a request in connection with it to return to the paragraph passed over last evening.

Mr. CONNALLY of Texas. Reserving the right to object, Mr. Chairman, why did not the gentleman offer it last night when the point was reached?

Mr. FISH. There was some confusion here at that time. We had not finished the next paragraph. In fact we had not even taken it up for amendment.

Mr. CONNALLY of Texas. I dislike very much to object, but I think that gentlemen having amendments should offer them at the right time.

Mr. BLANTON. I will ask the gentleman where it is intended to place this monument, whether in France or in this country?

Mr. FISH. In France. My whole heart and soul is in this amendment. It involves a regiment that I was serving with.

Mr. BLANTON. How many of the race of people that this seeks to benefit would ever get a chance to see it in France?

Mr. FISH. Very few; but there would not be one in this country who would not be inspired by the grateful action of Congress in recognizing their service abroad.

Mr. BLANTON. Some of them stayed over there, and they have relatives living in this country. If it is going to commemorate anything at all, why should it not be in this country, as was done in the case of the unknown soldier?

Mr. FISH. I am talking now about that particular colored division which served only with the French, not with the American Army. In the first place they were the only American troops that served permanently with the French, and in the next place they were the only colored division that had such service.

Mr. BLANTON. Would the gentleman be willing to have it placed in this country?

Mr. FISH. I do not think the Battle Monument Commission would have that power nor is it the purpose of my amendment.

Mr. BLANTON. I know. But the grave of the unknown soldier commemorates a soldier who was fighting abroad. Still it is located over here in Arlington, where the people who visit the National Capital can go and visit that shrine. I would not object to it if the gentleman locates it in this country.

But this is a race of people very few of whom ever have the privilege of going across the water. It is a rare instance when they do have that privilege, and when you attempt to erect a monument commemorating something for their race it ought to be located in this country.

Mr. FISH. I see what the gentleman means; but the purpose of this monument is not to commemorate the colored people or colored soldiers who were in this country, but those colored regiments that served with the French; and the only place to put the monument would be in France, where they served efficiently and gallantly.

Mr. BLANTON. Unless it is to be located in this country, I think I shall object.

Mr. FISH. I hope the gentleman will not object. I have never offered an amendment in which I was more interested than in this one, and I hope the gentleman will at least permit me to explain it.

Mr. BLANTON. With that understanding, I will withhold my objection.

The CHAIRMAN. Does the gentleman from Texas withhold his objection or withdraw it?

Mr. BLANTON. I withhold it, Mr. Chairman.

Mr. STEVENSON. Will the gentleman yield?

Mr. FISH. Yes.

Mr. STEVENSON. I was not here in the beginning, but is this a proposition to commemorate the services of the soldiers in a colored regiment from New York?

Mr. FISH. No. I will explain it fully if I have the time.

Mr. CONNALLY of Texas. Mr. Chairman, further reserving the right to object, I want to ask the gentleman if under the present law the commission of which the gentleman is a member, as I understand it—the gentleman from New York is a member of the commission, is he not?

Mr. FISH. No.

Mr. CONNALLY of Texas. But he was at one time?

Mr. FISH. No.

Mr. CONNALLY of Texas. I thought he was. I want to ask the gentleman if it is not true that under the law this commission has ample authority to establish monuments and markers in Europe to commemorate the valor and courage of our troops?

Mr. FISH. I think the gentleman is correct; but the commission has failed to provide for such a monument, although at the present time I think the commission rather favors it. Since they drew up their plans I have talked with the gentleman from Maryland [Mr. HILL], who is a Member of this House and a member of the Battle Monument Commission, and he is favorable to this amendment.

Mr. CONNALLY of Texas. I want to say this: We passed an act which gave the Battle Monuments Commission authority to establish markers and monuments in France with respect to any or all regiments. It is not my purpose and not my



desire to object to the commemoration of the services of colored troops in France, but the gentleman has not followed the law and allowed this commission to establish monuments and markers for all regiments it may determine proper to commemorate. Not being satisfied with the action of the commission, it is the purpose of the gentleman from New York to pick out a particular regiment, because it happened to be composed of colored troops, and extend the law and have a monument set up in commemoration of certain colored troops. When the gentleman picks out this particular regiment is he not creating a distinction? The commission now has authority to commemorate the services of all American divisions, not white, not black, but as a division. I do not want to object to the gentleman's amendment, but I think he ought to go to this commission and let this commission pass upon this question. I think it would be striking at the orderly processes of this commission to offer an amendment changing the general law and say that, contrary to the judgment of this commission, we will erect a monument to some particular division commanded by some particular gentleman and thereby build up the greatness of them all.

Mr. FISH. I will say to the gentleman that there is a member on that commission who is a Member of this House, the gentleman from Maryland [Mr. HILL], and that he is in favor of this amendment. Mr. Chairman, may I proceed?

The CHAIRMAN. The gentleman is proceeding by unanimous consent under the reservation of an objection.

Mr. BLANTON. Mr. Chairman, I think it ought to be objected to, but I do not feel like making the objection.

The CHAIRMAN. Does the gentleman from Texas withdraw his objection.

Mr. BLANTON. I withdraw the objection; yes.

Mr. BANKHEAD. Mr. Chairman, reserving the right to object, does this matter come up on a point of order or by unanimous consent?

The CHAIRMAN. The gentleman from New York asks unanimous consent to return to a paragraph that had been passed in order to offer a certain amendment, which amendment has been reported to the House for its information.

Mr. BANKHEAD. Mr. Chairman, I object.

Mr. BYRNES of South Carolina. Does the gentleman from Alabama object to returning to the paragraph, or does he want to make a point of order against the amendment when it is offered?

Mr. BANKHEAD. What I want to do is to be in a position to object to this amendment as not being in order, and if it may be understood that such a point of order may be reserved I will withhold my objection.

Mr. CONNALLY of Texas. The point of order may not be good; and if the gentleman wants to object, he had better object now.

Mr. BANKHEAD. Mr. Chairman, I object.

The Clerk read as follows:

#### BUREAU OF EFFICIENCY

For chief of bureau and other personal services in the District of Columbia in accordance with the classification act of 1923; contingent expenses, including travelling expenses; per diem in lieu of subsistence; supplies; stationery; purchase and exchange of equipment; not to exceed \$100 for law books, books of reference, and periodicals; and not to exceed \$150 for street-car fare; in all, \$150,000, of which amount not to exceed \$146,460 may be expended for personal services in the District of Columbia.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 5, line 20, strike out the paragraph.

Mr. BYRNES of South Carolina. Mr. Chairman, when the subcommittee was considering this bill I did not offer an amendment to it of this character, but the fact is that since that time, in investigating the duplication of activities of the Government, I have come to the conclusion that this is one bureau which can well be abolished.

I want to call the attention of the committee to the situation with reference to this Bureau of Efficiency. One of the duties of the Bureau of Efficiency is to ascertain duplications in activities of the Government. Under the Budget law the Bureau of the Budget is directed to make a detailed study of the departments and establishments for the purpose of enabling the President to determine "what changes (with a view of securing greater economy and efficiency in the conduct of the public

service) should be made." The Budget law goes on to specify other duties, which are exactly similar to the duties of the Bureau of Efficiency.

In addition to that the law creating the Bureau of the Budget contains a section directing the Comptroller General to make investigations and report to Congress at the beginning of every regular session recommendations looking to greater economy or efficiency in public expenditures. So that the Bureau of Efficiency is engaged in doing that which the Congress directed the Bureau of the Budget to do and which the Congress also directed the Comptroller General to do. If it does not report this duplication, it should not report other duplications.

If you will turn to the hearings, you will find that the Director of the Bureau of Efficiency said in response to the question of the chairman that the Bureau of Efficiency is continuing, as in former years, to investigate in order to ascertain what activities of the Government are being duplicated in several bureaus. As the gentleman from Louisiana [Mr. SANDLIN] said yesterday, we have made many speeches on the floor of the House about abolishing unnecessary bureaus, but whenever it comes to a specific item, a specific appropriation, there is always some argument used which will induce the Congress to continue an activity. The fact is that once an activity is established, a bureau created, it matters not if thereafter the necessity for that organization shall disappear, the bureau continues to exist, and that is the situation now with respect to the Bureau of Efficiency, notwithstanding the fact that the Budget Bureau and the Classification Board have been created to discharge the duties heretofore performed by this bureau.

Under this section \$150,000 is appropriated. You have directed the Bureau of the Budget to make a report to the Congress and to do exactly that which the Bureau of Efficiency says it is doing. You have directed the Comptroller General to do the same thing. I call your attention to the announcement of General Lord, of the Bureau of the Budget, on yesterday morning, wherein he announced that he was going to cause a survey to be made of all the departments of the Government in order to see if there could not be further economies effected in the administration of the departments. That proves that the Budget Bureau has the power. The Director of the Budget Bureau is performing that duty, and at the same time we propose to appropriate \$150,000 to continue the Bureau of Efficiency in the city of Washington for the same purpose.

I have nothing to say about the gentleman who is in charge of that bureau. So far as my information goes, he has performed a valuable service for the Government, but I know that when we establish the Civil Service Commission to secure employees, when we establish the Bureau of the Budget to pass upon the necessity of appropriations and thereafter direct the Director of the Budget Bureau to investigate to see if the appropriation is being economically administered, and then direct the Comptroller General to make a similar investigation, it is an utter waste of time and a waste of money to direct the Bureau of Efficiency to perform the same service.

Mr. LEHLBACH. Will the gentleman yield?

Mr. BYRNES of South Carolina. I yield.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. LEHLBACH. Do the hearings disclose, in the last three or four years, what proportion of the \$150,000 was spent by the Bureau of Efficiency in activities which it was not authorized by law to engage in?

Mr. BYRNES of South Carolina. No. But I know that the gentleman in charge of this bureau has, in the opinion of many Members of the House, performed a very valuable service. If that is true, then he ought to be taken into the organization of the Bureau of the Budget. The Director of the Bureau of the Budget, so far as I know, has not made such a report as is required of him by this section of the law. Certainly, the Comptroller General has not made a report at any regular session of Congress making recommendations looking to greater economy or efficiency in public expenditures. But their failure to comply with the law is no excuse for continuing the Bureau of Efficiency. There is no reason on earth for having three different bureaus of the Government performing the same service, or supposed to perform the same service, and the Director of the Budget ought to take into his organization such of the



employees of the Bureau of Efficiency as he believes are necessary to carry out the duties of that bureau, and having taken them in, perform the service required of the Budget Bureau by the law.

Army officers and naval officers are detailed to serve with the Bureau of the Budget. If you look at the grade of the naval officers who are assigned to the Bureau of the Budget you will see that the compensation which the Government of the United States is paying them will average about \$8,000 a year. We say we need officers in the Navy. The Secretary of the Navy and the Chief of Operations say that the necessity is so great we ought to increase the number of appointments to the Naval Academy. If this be true, why should we be assigning naval officers to the Bureau of the Budget to perform purely civilian functions? Instead of doing that, those gentlemen ought to be directed to go back to their respective services to perform the duties expected of them by the law, and the Bureau of the Budget ought to take over such of these civilian employees of the Bureau of Efficiency as are necessary to carry out the Budget law.

There is absolutely no argument for it except that we once established this bureau, before the Bureau of the Budget was established and before the Comptroller General was directed to carry out this duty, and now that it has been established these employees are going to stay on the pay roll because that which has been must always be.

Mr. STENGLE. Mr. Chairman, I hope that no colleague of mine on this floor will believe that what I am about to say is being said either in a personal or partisan spirit. What I have to say concerning this so-called Bureau of Efficiency has to do with public office and public duty. For two long years, since I have been a Member of this House, I have been sincerely endeavoring to discover some excuse for the existence or continuation of this particular bureau in the scheme of our Government. As I looked for the cause of its creation I found its inception to be in a desire to keep a check on the great army of employees of the Government, to avoid duplication in service, and to equalize as far as possible the responsibilities, the duties, and compensations of various employees of the Government. Later on, by the creation of a board by the act of classification of 1923, an additional duty was added, to wit, that a representative of this particular board should be a part and parcel of another board, to be known as the Reclassification Board, for the reclassification of various departments and the field service of our Government.

I have tried religiously, without any feeling whatever, in the sincerest way, really leaning in the opposite direction frequently, to find some excuse in law and in fact why we should continue this particular board in its activities in our Government.

I was so firmly convinced a year ago that there was no necessity for it that I introduced a bill in this House, and it was referred to the Committee on the Civil Service to act upon, and I have heard of no result. I dare say, if you poll that committee to-day, you would not find a vote that would sustain the continuation of this board. The gentleman who is chairman of that committee asked a significant question of the gentleman who just preceded me on the floor when he asked this question: "Has the gentleman any knowledge or information as to the activities that have been conducted by the Bureau of Efficiency other than those required by law?" I would be very glad, indeed, if the distinguished chairman of this committee would put in the RECORD for the edification of my colleagues here, only a few, if you please of the activities that he and I know have been going on under the direction of this bureau that are not provided for in law.

If I had no other excuse for supporting this amendment than the mere fact that this board has failed, badly failed—I wish I had the language strong enough to express my feelings—has failed utterly to perform its function in the reclassification right here in the city, to say nothing of the field service.

I hold in my hand absolute proof—some one said the other day when I was speaking on reclassification that I was not definite enough, did not go into details enough—I hold in my hand a complete survey of the bureau of draftsmen in the office of Acting Superintendent of Architects of this city, a department presided over, if I am reliably informed, and I believe I am, by a member of the bar, not by an architect at all.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. STENGLE. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STENGLE. I can show you if I had the time that one man there got 72 per cent increase within the last year. Four

others get about 59 per cent; five others get about 43 per cent; six others get about 32 per cent, and the men who do the actual work are getting only 6 per cent increase. I say, Mr. Chairman, that a board established as this board was for the purpose of stopping duplication and giving equity in the public service which does not, can not, and will not function under fairer conditions than that ought not to continue in existence.

I favor this amendment not because of personal feeling, not because of hatred toward any individual, but because I believe if I do not support this amendment I shall be voting for the continuation of a board that has been and promises to continue to be simply a job to furnish somebody an easy living in this city. [Applause.]

Mr. WOOD. Mr. Chairman, to follow out the logic of the distinguished gentleman from New York, not only would the Bureau of Efficiency be abolished but also the Bureau of the Budget and the Civil Service Commission. The gentleman seems to lay all of the blame for whatever fault he finds to the Bureau of Efficiency. The Bureau of Efficiency furnishes one member of the Reclassification Board; one member was furnished by the Civil Service Commission and the other by the Bureau of the Budget. I can not see how the gentleman can lay all of the blame for whatever grievances he may have on the Bureau of Efficiency.

Mr. STENGLE. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. STENGLE. Does the gentleman deny, or can he deny, that the representative of this particular bureau is and has been the controlling spirit in the Classification Board?

Mr. WOOD. I do not know whether he has or has not been. Possibly he was better prepared than any of the rest, for the reason that under the organic act creating the Bureau of Efficiency one of the prime functions of that body is to investigate the efficiency of Government employees, and by reason of that fact he may possibly be better equipped to be its controlling spirit. I say now that the most efficient man on this Classification Board, in my opinion, is Mr. Graves, who is connected with the Bureau of Efficiency.

I have had very many heads of bureaus before me, from first to last, in the various committees of which I have been a member, and never have I found a man who can maintain himself better, who seems to have better grasp of the details of his office and the duties incumbent upon him to discharge, than Mr. Graves.

Gentlemen on the other side have asked how much of this \$150,000 was expended for the benefit of the Government. Most of this money has been expended by reason of the extraordinary duties thrown upon the Bureau of Efficiency during the classification period. I know that the classification does not meet with the approval of everybody. It never will. I know that there is complaint made about it. It comes to me and to every other Member of the House. Complaint is made that there is discrimination here and discrimination there, and that will come no matter what kind of a classification board we may have.

Mr. LEHLBACH. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. LEHLBACH. Does the gentleman from Indiana know that when the joint commission authorized by this Congress to recommend classification here reported and its report was under consideration by the legislative committee of this House and of the Senate that the Bureau of Efficiency made a classification of its own, and can the gentleman tell me under authority of what law it proceeded to do that work?

Mr. WOOD. It proceeded under the Executive order of the President of the United States.

Mr. LEHLBACH. Will not the gentleman concede that he had in his possession the classification made by the Bureau of Efficiency before the Executive order was issued, and the Executive order was an ex post facto order, procured by influence, in order to protect the bureau for having done work that it was not authorized to do?

Mr. WOOD. The gentleman is asking me to concede a whole lot of things. He is asking me to concede, in the first place, that this scheme had been constructed and placed in the hands of the President, and that by influence President Harding, of sacred memory—shame on the gentleman for casting such an aspersion—adopted it.

Mr. LEHLBACH. I have not said anything derogatory to the President at all.

Mr. WOOD. Then the gentleman better withdraw his remark. The gentleman has been entirely too partial on the other side. I have no brief here for the head of this Bureau of Efficiency. It was established for a good purpose. Whether it has been managed as best it might be is a controversial ques-



tion. It has met with all sorts of opposition. It was created for the purpose of endeavoring to put efficiency into the various departments. I believe that gentlemen here who have taken time to investigate and know something of the conduct of the business of this Government—

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. WOOD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STENGLE. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. STENGLE. I hope the gentleman will not think that I am personally after him?

Mr. WOOD. I do not think so.

Mr. STENGLE. Will the gentleman kindly explain to this committee why, if this work has been so important, the gentleman's committee did not make a more detailed statement in the hearings than have been printed in his report, so that we as Members could get some crumb of comfort in order to support his program.

Mr. WOOD. The report made by this committee of necessity had to be short. There is a report, however, of which the gentleman can avail himself, submitted by the Bureau of Efficiency, which will afford him all the information he desires with reference to what they have been doing.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLANTON. Is it not a fact that this Bureau of Efficiency has had the unqualified, 100 per cent indorsement of both President Harding and President Coolidge for its work?

Mr. WOOD. It has; and also the indorsement of President Wilson. There has never been a President since the creation of this bureau who has not depended on the Bureau of Efficiency to furnish him with information respecting what is going on in these departments. I believe, and you gentlemen believe, if you are acquainted with the details of the operation of this Government, that if this Government of ours were a private concern we could run it with less than one-half the man and woman power that is now employed, with greater efficiency. For the very purpose of rooting out this dead wood, this bureau was created. It has been resisted by the heads of these departments because they have ever rebelled against any interference with the established order of things, and in consequence this Bureau of Efficiency has always been unpopular and will be unpopular, but that it has rendered a splendid service is attested by every department that has admitted it within its doors.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. MOORE of Virginia. I would not for a moment take issue with the gentleman upon the point that the work is a valuable work, and ought to be continued, but does not the gentleman think, in view of what was developed in the hearings, that the work ought to be more closely coordinated with the work of the Bureau of the Budget?

Mr. WOOD. I agree with the gentleman on that proposition. A lot of bureaus here ought to be united. That there is duplication to a certain extent there can be no manner of doubt. I know that as well as anybody, but it must be done in an orderly way, and it ought not to be done in a haphazard way. There should be a consolidation.

Now let me make a statement in reference to the Budget. The gentleman from South Carolina stated a while ago in his speech in reference to the survey that is being made by order of the Bureau of the Budget. Now, who is going to make it? It will be made by the Bureau of Efficiency. They have no agency other than that. It is true that the Bureau of the Budget, for the purpose of ascertaining what want of efficiency there is, can employ any agency it wants to, but the Bureau of Efficiency is directly created for this very purpose, and consequently and necessarily they will apply to it.

Mr. BYRNES of South Carolina. Now, in reference to the statement of the gentleman from Indiana, because he and I are in accord, the Bureau of the Budget has to make a survey and ascertain whether or not the funds are being economically administered. The Bureau of the Budget is charged by law with the duty of conducting that survey, and instead of doing so they are going to ask another bureau of the Government to do it for them.

Mr. WOOD. No; if the Bureau of the Budget wants to make a survey it has to do it with some human agency. Now, what is that human agency? It is the agency that was estab-

lished under the law and prescribed under the law to do this very thing.

Mr. BYRNES of South Carolina. If the gentleman will yield again. The gentleman from Indiana will agree that under the law the agency established to conduct that investigation is the Bureau of the Budget, as set forth in the Budget law, on page 3, when the law says:

The bureau when directed by the President shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes shall be made in the interest of economy and efficiency.

The Bureau of the Budget will do that and not ask another bureau to make the survey.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. WOOD. I ask for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WOOD. If this survey was to be made by them, true it is directly under the control of the Bureau of the Budget, there must of necessity be created some force to do it. Now, then, I will admit that I think the Bureau of the Budget and the Bureau of Efficiency must be combined. It ought to be done orderly and ought not to be done by striking out this paragraph. This debate is worth while and of good suggestion.

Mr. BYRNES of South Carolina. I agree that the gentleman and myself are in accord, but I will say this, the only reason I did not offer an amendment to combine them is because it will be subject to a point of order, and if it is stricken out I know that the Committee on Appropriations will draft it on a deficiency bill, and it would be provided for, and properly provided for, and the only way the House could get an expression—

Mr. WOOD. It would be subject to a point of order there. If I had the time I could take and point out the saving of millions of dollars traceable directly to this Bureau of Efficiency, and I have before me one concrete example where the job description of this reclassification, concerning which so much criticism has been made against the Bureau of Efficiency, wherein the head of the department classified a clerk and placed that clerk within a grade where the maximum salary was \$2,400. Under the survey made by the Bureau of Efficiency that employee by reason of the services rendered was placed in a grade where the maximum salary rate was \$1,860. That is only one of a thousand cases, and most of the trouble that is occurring now and urged for the abolishment of the Bureau of Efficiency comes from clerks who are not properly classified.

Mr. BYRNES of South Carolina. The gentleman knows he has never heard me express a view upon that subject because I have not followed it closely enough, but the gentleman from Indiana says these two bureaus ought to be combined. There is no doubt about it. The classification law is being administered with one man detailed from the Bureau of Efficiency. If that one man should die, certainly we do not want the bureau not to continue, because we have a very able man to relieve that one who is dead. Regardless of what may happen in reference to the classification law, those bureaus ought to be combined.

Mr. WOOD. There will be somebody else to take the place, because under the law creating the Reclassification Bureau it requires one from the Bureau of Efficiency and one from the civil service and one from the Bureau of the Budget. Now, it strikes me that the proper and orderly thing is that the legislative committee should take this matter in charge, and we should take cognizance of the opinions of gentlemen who have given this thing some study, and there should be presented to Congress a bill combining these two activities.

Mr. BYRNES of South Carolina. Will the gentleman agree to this? So far as the combination is concerned, because the Budget law provides the Budget Bureau in almost the exact language creating the Bureau of Efficiency to perform certain duties, the Budget Bureau to-morrow could take into its organization Mr. Brown. If that is what it wants to do, they would take him in and Mr. Graves, and the organization could continue to perform the duty. If the gentleman will read the hearings he has in his hand, the gentleman from Indiana asked the representative of the Bureau of Efficiency as to this combination, and he said that his bureau was endeavoring to check up expenditures instead of estimates and that the bureau would check on expenditures as well as prepare the estimates—

Mr. WOOD. If the gentleman will permit, I will call attention to what Mr. Brown says on this proposition.

I asked him this question:



Would it not be necessary to conduct an inquiry into the methods in order to determine whether an appropriation asked for should be increased or decreased?

One of the prime purposes of the Budget is to determine what the appropriation shall be. That is the question I submitted to Mr. Brown. In answer he said:

Mr. BROWN. That would govern somewhat; but I think that the Director of the Budget's office, perhaps, looks more directly into the question of whether the work should be done at all or not. He would do that as the President's adviser. As a matter of policy, he determines whether the work ought to be done, but his investigation, I think, is not usually extended to the manner of doing it.

That is quite a nice distinction there, and is it a distinction worth while?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SEARS of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana may be permitted to speak for five minutes more.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the gentleman from Indiana may proceed for five minutes more. Is there objection?

There was no objection.

Mr. WOOD. I read further from the answer of Mr. Brown:

Our investigation is generally not with respect to the question of whether the work should be done, but with respect to the question of how the work is done.

I understand and I will admit that that distinction there is so fine that I can not appreciate it.

Mr. BYRNES of South Carolina. I think the gentleman is right. The gentleman was right in asking the question, and the head of the Bureau of Efficiency said that the Budget Bureau was using the Bureau of Efficiency as an excuse for not doing what the law required them to do, and that is carrying out investigations to determine whether or not the appropriations are wisely expended.

Mr. WOOD. If there could be a working consolidation effected between the Bureau of the Budget and the Bureau of Efficiency, the Bureau of Efficiency could be used by the Budget Bureau to make surveys of these different activities and report back to them their opinions of what the needs are. But I think it would be a very unwise policy simply to wipe them out until some scheme is evolved by which one can be made the handmaid of the other.

Mr. BYRNES of South Carolina. If this is wiped out here, we can get action at this session by means of the other bill.

Mr. WOOD. We could not have it on the legislative bill, because it would be subject to a point of order, and somebody would be sure to raise the point of order.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. MOORE of Virginia. As to the contention of the gentleman that there should be cooperation between these bureaus, he asked Mr. Brown this question:

Mr. WOOD. There is cooperation between your office and the Bureau of the Budget, is there not?

Mr. BROWN. Yes, sir; we aid the Bureau of the Budget whenever they call on us.

Mr. WOOD. They do call on you, do they not?

Mr. BROWN. Yes, sir; but not as much as I should like to have them.

Mr. SANDLIN. They do not call on you as much as you think they should?

Mr. BROWN. I think we should get more calls.

Now, that indicates that there is some sort of confusion or duplication of activities, so far as the Bureau of Efficiency and the Bureau of the Budget are concerned. Something should be done to avoid that.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. GARNER of Texas. Suppose you wiped out the Bureau of Efficiency. Could not the Bureau of the Budget take over that work?

Mr. WOOD. They would not do it without authority.

Mr. GARNER of Texas. If you gave them an additional appropriation, they have the authority now. The law directs them to do that now. The Director of the Budget is directed by law to do the very things the Bureau of Efficiency is now doing. If you do not appropriate for the Bureau of Efficiency and leave it to the Bureau of the Budget, they would perform this function which is required of them by law.

Mr. WOOD. They have to have some money to do that.

Mr. BYRNES of South Carolina. Suppose we appropriated \$150,000 for the Bureau of the Budget for this purpose and directed them to do it. Would they not do it? The law now directs them to do it.

Mr. WOOD. The gentleman is under a misapprehension when he thinks that the appropriation for the Bureau of the Budget is carried on this bill. It is not.

Mr. STENGLE. Let me make this statement, so that the matter may not be ambiguous. I want to make this observation: That under the civil service law persons holding positions identical in character, even though their titles be not identical, are transferable from one bureau or department to another having similar work to perform; so that under the existing law, if we were to wipe out this appropriation and provision is made in the Budget Bureau for the additional work there to be done, every one of these men could under the existing law be transferred into that bureau.

Mr. WOOD. It is not a matter of positions for these men and women. It is a matter of the orderly conduct of business. This ought to be done in an orderly way if it is done at all. We do too many things now when actuated by impulse.

Mr. BYRNES of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BYRNES of Tennessee. The gentleman has referred to the fact that the work of the Bureau of Efficiency could be performed by the Budget Bureau. That would be true under certain conditions. A year or two ago I felt that way, and so stated on the floor. But since that time I have understood the Director of the Budget regards this Bureau of Efficiency as a very essential branch of the Government. But even granting that this work could be referred to the Bureau of the Budget, what are we going to do with the reclassification law until the committee over which the gentleman from New Jersey [Mr. LEHLBACH] so ably presides presents an amendment and changes the law which requires the Bureau of Efficiency to function as one of three on the Board of Classification of Employees? Will we not get into confusion if we do as is suggested, and will we not be really repealing the reclassification law as regards methods of classification?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. STENGLE. Mr. Chairman, I ask that the gentleman be given five additional minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman from Indiana may proceed for five additional minutes. Is there objection?

Mr. BYRNES of South Carolina. Mr. Chairman, reserving the right to object, will the gentleman permit me to state, in reply to the gentleman from Tennessee [Mr. BYRNES] that a bill has already passed the House placing the Personnel Classification Board under the Civil Service Commission. That bill is now in the Senate, and it can easily be changed so as to provide for some other official of the Government. If this official is the only official who can maintain the Government we are in a terrible fix indeed.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD. This discussion demonstrates this fact, gentlemen: That if we are going to do business in an orderly way, there should be some excuse for our action. We ought not to frame legislation upon the floor as a side issue in the discussion of a proposition. I believe I am as much interested in economy as anybody here, and I try to practice it so far as my conduct is concerned. But I think it would be very poor economy to abolish an activity that has been recognized as rendering a service—either good or bad—for years until some scheme is evolved whereby it can be taken over and its work performed by some other agency. The suggestion made by the gentleman from Tennessee [Mr. BYRNES] was attempted to be answered by the gentleman from South Carolina [Mr. BYRNES] by saying that a bill is now pending in the Senate, but we do not know what may become of that bill. We are getting near the end of this session, and we had better follow the paths that are beaten until we can find a better path to follow in the future.

Mr. SEARS of Florida. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. SEARS of Florida. I have refrained from asking the gentleman any questions, because I did not want to divert the gentleman's mind from the question we are discussing; but a few moments ago the gentleman stated that there was a large number of employees that were not necessary, and I agree with the gentleman. I would like to know whether the gentleman



can give the House approximately the number of employees that have been separated from the Government service since the peak in about 1920 and the present time? I do that because I know the gentleman from Indiana has made a very close study of it.

Mr. WOOD. Well, we reached the peak during 1918 or 1919. There were 117,000 employees in the city of Washington at that time. We have been cutting them down and cutting them down until there are now about 35,000.

Mr. BLANTON. The gentleman is mistaken about that. There are 64,120, according to the last report from the Civil Service Commission, which I have here.

Mr. WOOD. In the District of Columbia?

Mr. BLANTON. Yes; 64,120, according to the last report of the Civil Service Commission, which I have here.

Mr. SEARS of Florida. Will the gentleman yield further?

Mr. WOOD. Yes.

Mr. SEARS of Florida. Then the statement contained in last night's press to the effect that the number had been reduced 100,000 is not correct, according to the gentleman's own figures?

Mr. WOOD. I know we reached the peak in 1917. When I was chairman of the Legislative, Executive, and Judicial Appropriation Subcommittee we had to appropriate for all the clerks, and then I knew exactly what the number was. I may be mistaken by reason of not having been in close touch with it, and I thought the number here ran about 35,000; but I may be mistaken.

Mr. SEARS of Florida. The peak was in 1919, when we had the war employees, and then we established the Veterans' Bureau.

Mr. WOOD. Yes; we had 117,000 at that time.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. COLE of Iowa. Did we not have 137,000 employees in the District of Columbia at one time?

Mr. WOOD. No; 117,000 in the District of Columbia was the most we ever had.

Mr. COLTON. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. COLTON. If this amendment should prevail and this bureau were wiped out, then it would entirely depend upon the contingency of an appropriation in the future as to whether any of this activity would be carried on?

Mr. WOOD. Absolutely; and it would simply mean chaos so far as this business is concerned. You might as well say that a large wholesale house should close its doors upon the assumption that it could transfer its business to somebody else, with all its clerks, and without making any provision for doing it. It is not a sensible thing; it is not a logical thing, and no matter what your opinion might be with reference to the inefficiency or efficiency of the Bureau of Efficiency, we ought to dispose of it in an orderly manner, in order that the business it now has in its hands may be properly disposed of.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not care to take up the time of the committee, but I do want to make just a few observations with regard to this matter. This bureau has been established by law and has been in existence for a number of years. I am sure there is no gentleman who would care to take the position that this great Government of ours, spending, as it does, millions and billions of dollars, should not have a bureau—carried here at a cost of \$150,000—whose direct duty, whose real fundamental duty under the law is to see that efficiency is practiced in the departments by Government employees. Certainly we do not want to put ourselves in a position where we will not have any bureau charged with this important duty of seeing that the employees of this Government, consisting of more than 100,000 in the District, perform their duties efficiently.

Now, whether or not this bureau is doing that duty to the fullest extent I do not know. I think the Chief of the Bureau of Efficiency is a very capable, earnest man and I think his assistant is a very capable, earnest man; but that is not the proposition, it seems to me, that concerns us in the consideration of this amendment. If the chief of this bureau is not doing his duty, he is the direct appointee of the President of the United States, and I assume that the President of the United States, who, through his Director of the Budget, is in close touch with all the departments and in close touch with what this bureau is doing, would quickly remove him and put somebody in his place who will do what the law contemplates.

I do not think we ought to permit our objection to the classification that has been made or our opposition to what this Personnel Classification Board has done to cause us to destroy the law and deny an appropriation which is necessary to see that efficiency is practiced in departments here in the District of Columbia; and that is what you will do if you adopt this amendment.

Mr. SANDLIN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. SANDLIN. If you carried out that practice, if you disagreed with the action of the Secretary of War or the Secretary of the Treasury or the President, you would simply refuse to appropriate for the office and abolish it in that way.

Mr. BYRNS of Tennessee. That is not the way to get at this proposition. This bureau has been created by law; and if gentlemen desire to abolish the bureau, then we ought to do it in an orderly way and not by the process of starving it to death or rather denying it any funds whatsoever.

Mr. BYRNS of South Carolina. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. BYRNS of South Carolina. Would the gentleman vote to abolish it?

Mr. BYRNS of Tennessee. No; I will not vote to abolish this bureau unless I am satisfied that there is another agency fully vested and authorized to do what this agency was created to do, and that is to make investigations with reference to efficiency and how work is done in the departments. I will stand for this bureau until some other agency is created in its stead, and if this bureau is not being properly administered—and I think it is—I trust the President of the United States to see that a man is put in charge of it who will properly administer it.

This bureau did not ask, so far as I know, to be put upon the Personnel Classification Board. This Congress passed that law. It was fathered and sponsored by the gentleman from New Jersey, and it was at his instance, if I am correct, and if not he will correct me, that this Bureau of Efficiency was made one of the three members of the Personnel Classification Board to classify the employees of the District of Columbia.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Now, some gentlemen who are opposed to the classification which was made by the board seem to hold this bureau chiefly responsible and seem to want to change the personnel of the board by taking every dollar the bureau has and abolishing the bureau in this indirect way. Gentlemen, that is not the way to do it.

Mr. STENGLE. Will the gentleman yield right there?

Mr. BYRNS of Tennessee. I yield for a brief question.

Mr. STENGLE. Does the gentleman mean, in all seriousness, to make that charge?

Mr. BYRNS of Tennessee. What charge?

Mr. STENGLE. The charge which he has just made, that in order to get at a certain personality we are arguing for the abolishment of this bureau.

Mr. BYRNS of Tennessee. No; I do not charge the gentleman or anybody else with any personal motives in this matter. I have great admiration for the gentleman and regard him as one of the ablest and most useful Members of the House. But I do say that the chief argument, with the exception of the one made by the gentleman from South Carolina [Mr. BYRNS], the author of this amendment, has been a criticism of this bureau because of its action as a member of the Personnel Classification Board, and I can see no other reason for denying this appropriation, my friends, except to destroy the bureau itself because, of course, that is necessarily the effect of the amendment.

I think we ought to proceed with this matter in an orderly way. They say that this bureau duplicates the work of the Budget. I do not know whether it does or not. If it does, it ought not to do so. If it does, there ought to be some law passed to prevent it, but until that is done I am not willing to put myself in a position, so far as my vote is concerned, of cutting out the bureau specially designated by law to see that the work of the departments here is efficiently managed.

The Bureau of the Budget, as Mr. Brown has said in his hearing, has to do with expenditures. It investigates a department with respect to seeing whether certain work is necessary or what work is necessary, following, of course, the



policy of the President in that respect. This bureau has nothing to do with that. This bureau is charged with the duty of seeing how the work is done, whether the work is being done efficiently or not by the individual employees, and putting in efficiency ratings. That is the difference between the work of the two establishments.

I concede all that my good and able friend from South Carolina has said about the Bureau of the Budget being able to do this work, but I say, my friends, until some arrangement is made, until some steps are taken to see that that duty is vested in the Bureau of the Budget, we ought not to put ourselves in the position of denying this \$150,000 to a bureau specially framed and specially formed and organized to carry out and promote efficiency in the departments. There is not a business concern in the world that would do it.

Mr. LOZIER. Will the gentleman yield for one question?

Mr. BYRNS of Tennessee. I yield.

Mr. LOZIER. As long as Congress continues to make appropriations for these various bureaus, will there ever be an elimination of duplication or a consolidation of bureaus? Will we ever have any legislative relief as long as Congress, session after session, makes these appropriations?

Mr. BYRNS of Tennessee. Let me ask a question, since the gentleman has asked me one. Does the gentleman think that when Congress has passed a law providing for certain duties that the proper, orderly, and correct way to repeal that law is by denying an appropriation? We have responsible legislative committees in this House. The gentleman from New Jersey [Mr. LEHLBACH], who is opposed to this bureau, I take it from the questions he has asked on the floor, is the chairman of the committee having jurisdiction in this case. Why can not these committees function and present legislation which would cut out duplication, if it exists, and to which I am as much opposed as the gentleman or anyone else? Why can they not cut out some of these useless commissions referred to on yesterday and get us down as nearly as possible to a peace-time basis of economy, because that is what the people expect and demand?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. LEHLBACH. Mr. Chairman, I had not intended to take any part in this discussion, nor did I suggest the pending amendment, but I take the floor for the purpose of refuting the statement or insinuation of the gentleman from Indiana, the chairman of the subcommittee, that I in any way had said anything that could be remotely construed as being derogatory to the memory of the late President Harding. I said, and the gentleman knows it to be a fact, that the Bureau of Efficiency had proceeded to make a classification of employees in this District before any Executive order employing them to do the work was issued; that when the work was substantially done some one secured from the President an Executive order directing the Bureau of Efficiency to do that work. As a matter of fact, some one suggested to the President that it would be a wise thing to have the bureau do that, and secured authority from him for the bureau to make the classification when the Bureau of Efficiency, without authority, on its own motion, had already spent the money to make it. It is no reflection on the President; he had nothing to do with the Bureau of Efficiency usurping the authority which they did not have. There is no reason to believe that the President knew that the work he was ordering to be done had been done.

Now, the Bureau of Efficiency was created for two principal functions. One was to see that the departments were carrying on their work and in the employment of their personnel functioned efficiently and economically, that they did not duplicate each other in so far as duplication was able to be eliminated under the statutes in existence, and that the value for the money spent in the hiring of labor should be received by the Government.

As to the other function of the bureau, it was supposed to establish in the various establishments systems of efficiency, with individual records of efficiency, so that merit might be rewarded and the inefficient might be separated from the service. Nobody has any objection to this work being done that the gentleman from Indiana and the gentleman from Tennessee have described as valuable. Of course, we all want it done. Since the Bureau of Efficiency was created, Congress, presumably with the knowledge of the functions it had bestowed on the Bureau of Efficiency, created the Bureau of the Budget and the Comptroller General, and has directed that these agencies do in a large part the work that they previously had intrusted to the Bureau of Efficiency.

As far as establishing the efficiency of the individual employee is concerned, that is taken care of by the classification act, and that function vested in the classifying agency, whatever that agency may be.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. LEHLBACH. I will.

Mr. BLACK of Texas. I notice that Mr. Brown in his testimony gives as one of the activities of the Bureau of Efficiency during the past year the revision of the efficiency ratings and the extension of the system to employees of all grades of classification in the classified departmental service. So I presume the Bureau of Efficiency is actually doing this efficiency rating, or rather preparing the rules and regulations under which it is to be done.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. LEHLBACH. I ask for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEHLBACH. I assume that the employees of the Bureau of Efficiency are doing this work, but as has been suggested, if they are experts in that line and the bureau itself is abolished and its work is carried on by the Bureau of the Budget or some other agency of the Government, these employees who are expert can be transferred to such other agency.

Now, as to classification.

Mr. WOOD. Will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. WOOD. I will ask the gentleman if he does not know that there are many complaints and that there is work devolving upon this bureau for the purpose of taking up and making a survey of these matters.

Mr. LEHLBACH. Will the gentleman tell me under what authority the Bureau of Efficiency has to revise any rate or allocation?

Mr. WOOD. The law provides that—

the Bureau of Efficiency shall investigate the methods of transacting the public business in the Civil Service Commission and report to Congress, through the President, at the next regular session of Congress. The officers and employees of the Civil Service Commission are hereby directed to furnish said bureau with such information as it may require to carry out this provision.

Mr. LEHLBACH. What is the date of that statute?

Mr. WOOD. That is the statute creating the bureau—1917.

Mr. LEHLBACH. But since that time Congress has enacted a different statute, which prescribes who shall look after the classification of the employees and revise the classification of employees in the first instance, and it is not the Bureau of Efficiency. That is another function of the Bureau of Efficiency that has been abolished by a later enactment.

Mr. WOOD. I call the gentleman's attention to this, talking about this classification board:

That the board shall review and may revise uniform systems of efficiency rating established or to be established for the various grades or classes thereof, which shall set forth the degree of efficiency which shall constitute grounds for (a) increase in the rate of compensation for employees who have not attained the maximum rate of the class to which their positions are allocated—

Mr. LEHLBACH. Is the gentleman reading from the classification act?

Mr. WOOD. Yes.

Mr. LEHLBACH. That board does not mean the Bureau of Efficiency. It means the Personnel Classification Board.

Mr. WOOD. Yes; but the gentleman, as a lawyer, knows that laws are construed together and that the very efficiency now spoken of in the classification act devolves upon this Bureau of Efficiency in order that the classification act may be enforced.

Mr. LEHLBACH. Absolutely not. It devolves upon the Personnel Classification Board and if the Bureau of Efficiency is abolished it does not mean that the classification act fails, because it can function with two of the three members.

Mr. BLANTON. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 6, lines 2 and 3, strike out the words "personal service in the District of Columbia."

Mr. BLANTON. Mr. Chairman, I am going to support the committee, although yesterday I could not support the operating surgeon of the Republican Congressional Committee [Mr.



Wood of Indiana] when, with his eyes shut and his neck bowed, he arrogantly took his operating knife and ripped open the bowels of Republican offenders, and left open to public gaze the gaping maw of the avaricious Republican Party, and then ran off and left them bleeding without tying the throbbing arteries. I could not follow him then, nor could I follow this morning the floor leader [Mr. LONGWORTH], who is the acting chief surgeon of the Republican organization, when, without administering anesthetics, he attempted to sew up the painful wounds inflicted by his associate, but negligently left inside his operating knife, his scissors, and his sponge, which in my judgment, are going to cause more gangrenous pus to form than all of the medicated gauze in the universe could drain off in the next 10 years.

I could not follow the gentleman from Indiana yesterday, when he was actuated by the arrogance of power, but I follow him now as the chairman of this subcommittee, in seeking to retain the Bureau of Efficiency. He says that he thought there were 35,000 civil-service employees in the District of Columbia at the present time. That shows you how little do men in high place think about this subject when they talk as erratically as that. This gentleman is one of the best posted men on appropriations in the House, and yet he said that, in his judgment, there were now only 35,000 people employed in this city.

Mr. WOOD. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WOOD. I just want to say—

Mr. BLANTON. Oh, I know the gentleman will say that he spoke without thinking.

Mr. WOOD. Oh, no; 35,000 was the number we had at the commencement of the war.

Mr. BLANTON. No; we did not.

Mr. WOOD. Yes; we did.

Mr. BLANTON. Here is what we had, because I have just gotten the figures from the assistant chief of the appointment division. On July 1, 1916, which was just before the war, we had 39,442 civil-service employees in the District of Columbia. On June 30 of last year, 1924, by actual count, we had 64,120. The assistant chief of the appointment division, Mr. Brobst, told me a few moments ago over the telephone that they have estimated the number we had on December 31, 1924, which was the beginning of this year, and he said their estimate of the number was 66,224, which is 2,104 more than we had on June 30 of last year.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes; if the gentleman seeks to correct me.

Mr. MADDEN. I do not want to correct the gentleman. I just want to say that we added quite a few for the operation under the bonus act. They are temporary.

Mr. BLANTON. I know; but they are on the Government pay roll, and that is why the distinguished chairman of the Committee on Appropriations [Mr. MADDEN] on the 28th day of last April got up on this floor in his official capacity as the ringleader of the Republican Party on appropriations and said that there were 30,000 surplus employees here in Washington who ought to be sent home. He said that we had appropriated the money to pay their way home but that they would not take it. He said that they ought to be sent home, and that is why the President said what he did last Monday night over the radio. He was heard in Cuba. He was heard from one side of the United States to the other. Here is what he said, as reported in the Washington Post, his mouthpiece, last Tuesday morning:

We have superfluous employees. It is an unpleasant and difficult task to separate people from the Federal service. But it can be done. It will be done. I advise Federal administrators to plan to operate with a smaller personnel than is now employed.

Those are the words of President Coolidge. Did he mean it? Until he shows me that he did not mean it by not reducing these surplus employees I am going to assume that he intends to make good that promise to the American taxpayers.

And Brigadier General Lord, the Director of the Budget, the President's personal representative on finances, said over the radio from the same platform to the people of the world:

If we are not in full sympathy with the program of the Chief Executive, if we are not prepared to sacrifice our personal wishes, plans, and opinions to the general administrative policy, if we are not willing to make our part of the performance subsidiary to the welfare of the Government as a whole, if we are not ready to march loyally with the President along the highroad of economy, we should enlist under another flag.

Mr. SEARS of Florida. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. SEARS of Florida. That was before taking; read after taking.

Mr. BLANTON. I am going to read it now. I have it here. The Washington News this afternoon carries the following:

LORD DENIES SURVEY OF PERSONNEL—BUDGET BUREAU NOT SCANNING EMPLOYEES' JOBS TO ELIMINATE SOME

Brig. Gen. H. M. Lord, Budget Bureau Director, to-day denied that the bureau is making a survey of Government departments to determine what, if any, employees may be dismissed in line with President Coolidge's economy speech.

#### NO SPECIAL WORK

Lord has not appointed special assistants to investigate Government personnel, he said, but the work of the bureau is going on exactly as usual.

Published reports that Lord was conducting such a survey brought a vigorous response from President Steward, of the National Federation of Federal Employees.

Now, what is General Lord, the Director of the Budget, going to say about that? Was he merely entertaining the anxious American taxpayers with a subject of economy which he knew would interest them? Was he creating false hopes? He now has the stage to answer. Was the gentleman right and was the President right when they said we had surplus employees, and that they would be gotten rid of, and when he said that we had 30,000 surplus employees was the distinguished chairman of the Committee on Appropriations right? He is always right on these questions. [Applause.] Because I am going to read now from this main, new generalissimo of the Republican Party [Mr. Wood], who has the authority to read out of their party every Republican whom he thinks ought not to participate in their caucuses. You know there is not a living Democrat on earth who has that much authority. There is not a Democrat on earth who would get on this floor and say that he assumed the authority to read out of the Democratic Party any Democrat sent here by Democrats. Why, if he did the Democrats would attend to him as soon as he got home. I will tell you the difference between Democrats and Republicans. We have in our Democratic caucus rules that when the Democrats of America in any district elect a man and send him to Congress ipso facto he becomes a Member of the Democratic caucus. That is the difference between us and you. Here is what the new Republican generalissimo said a few minutes ago and I took it down. Mr. Wood, of Indiana, said, and I read his exact language:

If this Government were a private concern, we could take and run—

That is the expression he used—

we could take and run it with one-half the man power and one-half the woman power that it now takes to run it.

I want to say to you Republicans the people of the United States expect you to run this Government just as economically as if it were a private concern. So, undoubtedly, one-half of the employees here are surplus. Now, listen. Here is what appears in the Evening Star of Tuesday.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I will ask for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. The Washington Star came out and said:

The President is represented as being of the opinion that a frequent reminder such as he made in his speech last night will serve a good purpose. He believes that there should be surveys made by the departments frequently, to see if it is not possible for them to cooperate with him in the desire to economize in governmental expense. His opinion on a reduction in the Government force was taken by those close to him to be more of a suggestion to departmental heads than a warning that a specific plan for wholesale dismissals is being worked out by the President. It was stated that he has no such plan and that he has no idea of making such a plan. It is a matter to be dealt with by each department individually.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. BLANTON. Let me first read what the Post says, and then I will yield. Here is what the mouthpiece of the administration says the next morning, Wednesday. The President's program is a "gentle admonition," it is explained:



Department heads accepted the President's speech as "a gentle admonition." Some of the sting of the address was removed, however, by a White House spokesman who explained that Mr. Coolidge's remarks should not be interpreted to mean that the official ax must be used ruthlessly.

The President, it was said at the White House, did not intend that his address should be construed as a command for immediate wholesale dismissals, but rather a reminder that surplus employees should be separated from the pay roll.

Mr. MADDEN. Who wrote it?

Mr. BLANTON. It does not state, but it is on the front page of the Washington Post. Tell me the Republicans or any mouthpiece to the President can stand here and tell the American people that the President of the United States did not mean what he said Monday night over the radio, when he is heard from Cuba to San Francisco, when he said we had surplus employees who should be sent home and that that could be done, and he said it would be done, that he did not mean it? You tell me that these 30,000 surplus employees which Chairman MADDEN said should be sent home, and which the President said would be sent home, are going to be left here after all? Is it from the White House that so powerful a spokesman for the President exists that he can say to the American people the President was talking to the United States, outside of Washington, about surplus employees, but that he has a special message for Washington. "Be still, Washingtonians; do not be uneasy; the President was talking for outside consumption only, and not for the National Capital." [Applause.]

I am going to defend the President. I do not believe he was simulating; I do not believe he was pussyfooting. I do not believe that he was misleading the people, but I believe that if Mr. Woon can bring his message to him that he delivered here this morning, that if he would run this Government as efficiently as private concerns in my friend's [Mr. UNDERHILL] district in Massachusetts run their private businesses, that he could send half of the men and half of the women employees on the Government pay roll in Washington back to their homes. I now yield to my friend from Texas if he wants me to.

Mr. BANKHEAD. Would the gentleman allow me to substitute myself?

Mr. BLANTON. All right.

Mr. BANKHEAD. I assume, of course, from the gentleman's argument he is in favor of the amendment offered by the gentleman from South Carolina.

Mr. BLANTON. Not at all. I think that Mr. Brown, at the head of this Bureau of Efficiency, next to General McCarl, is doing the best work in Washington for the American people that is being done by anyone toward reducing expenditures. I checked it up personally and I found out that he is trying to get employees to be efficient, and he was here long before the Republicans went in power.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I regret the gentleman from Texas can not join me. I think the President made an accurate statement when he said that it was an exceedingly difficult thing to separate anyone from the pay roll. If he was correctly reported in the radio speech, I agree with him, and the best proof of it is that when an earnest effort is made to separate some employees from the pay roll even the gentleman from Texas will oppose an amendment.

The gentleman from Tennessee [Mr. BYRNS] has suggested that the opposition to the Bureau of Efficiency was based in a measure on the activity of the representatives of that bureau in reclassifying salaries. He did not refer to me in making that statement. I think it exceedingly unfortunate that the merits of my amendment should be affected by the opinion of Members of the House as to the action of a single individual in this Bureau of Efficiency who happens to serve on the Reclassification Board.

I call the attention of the committee to this fact: That the Bureau of Efficiency was established, as its director says in the hearing, to investigate the expenditures of Government officials and report where economies can be effected. Since that time the Bureau of the Budget has been established, and I want the House to listen to me just for a few minutes while I read to you the duties that Congress placed upon the Bureau of the Budget. I read:

SEC. 209. The bureau, when directed by the President, shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization,

activities, and methods of business of such departments or establishments; (2) the appropriations therefor; (3) the assignment of particular activities to particular services; or (4) the regrouping of services. The result of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports, or any part thereof, with his recommendation on the matters covered thereby.

The Director of the Efficiency Bureau says that the Bureau of the Budget has not carried out the functions therein devolved upon the Bureau of the Budget. They have neglected to do it, and have confined their activities to ascertaining the amount of money they will recommend to be appropriated. But is the failure of the Bureau of the Budget to comply with the law any excuse for continuing the Bureau of Efficiency? Is not the proper remedy to call this neglect to the attention of the Budget Bureau and require them to perform this duty?

I submit that logically this duty should be performed by the Budget Bureau. That bureau has a representative assigned to the work of a department. That representative studies the needs of that particular department. A bureau submits a request for funds for a certain activity and presents reasons to justify the appropriation. The Budget representative recommends it. Thereafter, during that year, that same officer should check up the expenditure of that fund, instead of having it checked up by a representative of the Bureau of Efficiency, who knows nothing about the representations upon which the recommendation for the appropriation was based.

With two bureaus charged with the performance of the same duties, the chances are that neither will function, each relying upon the other to do it. If both function, there will be a conflict of authority.

Some gentlemen say, "I am willing to abolish this bureau if you will confer upon another department of the Government the duty now lodged with the Bureau of Efficiency." The law now charges the Bureau of the Budget with the duty of carrying out the very functions of the Bureau of Efficiency, functions which it was required to perform prior to the establishment of the Bureau of the Budget.

Here is what will happen: You vote the appropriation out of this bill. The law now authorizes the Bureau of the Budget, an agency of the Government, to discharge every function that the Bureau of Efficiency discharges, and all you have to do is to give the Budget Bureau more money with which it can perform this function. A deficiency bill will be reported and you can provide such additional funds as you think necessary to enable the Budget Bureau to perform this duty. You need no legislation. There would be no excuse for legislation. If you attempted to legislate you could only duplicate what is already the law.

When the deficiency bill comes in we can appropriate more money for the Director of the Budget, as much, as in his wisdom it will take, and you can rest assured it will not be \$150,000. The Budget Bureau will discharge these functions and the Government will not be hurt. On the contrary, you will be able to render a service by abolishing one of the many commissions in Washington that are merely duplicating the activities of the departments of the Government.

Now, I yield to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. Is it not a fact that the Bureau of Efficiency under the express provisions of the law has nothing absolutely to do with the expenditure of money, and that the Bureau of the Budget is not charged with the question of efficiency?

Mr. BYRNES of South Carolina. Let me read the law. My friend from Tennessee would be right in his contention if that was the law. I read again:

The bureau, when directed by the President, shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made—

And so forth. The question of securing greater efficiency is exactly what the Budget Bureau is charged with.

Mr. BYRNS of Tennessee. The gentleman read about the Bureau of the Budget. Let me now read what the Bureau of Efficiency is charged with.

Mr. BYRNES of South Carolina. Yes; and if you do not read it, I will read it.

Mr. BYRNS of Tennessee. The law provides:

The Bureau of Efficiency shall investigate the classification, salary, and efficiency of the employees of the departments and independent establishments of the Government in the District of Columbia and report fully or partially to Congress by January 1, 1918, as to needed



equalization or reclassification, and if a partial report be submitted then a full report shall be submitted as soon thereafter as possible with such recommendations as the bureau may deem proper.

The Bureau of Efficiency shall investigate duplication of service in the various executive departments and establishments of the Government, including bureaus and divisions, and make a report to the President thereon, and the President is hereby authorized, after such report shall have been made to him, wherever he finds such duplications to exist, to abolish the same. Report of the action taken hereunder shall be made to Congress at its next regular session.

Mr. BYRNES of South Carolina. I submit to the committee that the language read confers the same authority conferred by the law on the Budget Bureau. That is, the latter part of it. The first paragraph read is a duplication of the authority conferred upon the Reclassification Board. The second paragraph is a duplication of the authority conferred upon the Budget Bureau. Having heard the powers and duties of the Efficiency Bureau, listen again to this:

The Budget Bureau, when directed by the President, shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services.

It covers everything. The best proof of it is that after the President's speech last Monday, in which he stated additional funds must be saved, he did not call upon the Efficiency Bureau to make a survey. The Director of the Budget was called upon and announced he would make a survey to ascertain if greater economies could be effected. The gentleman from Indiana says the Budget Director will make the survey by calling upon the Efficiency Bureau for assistance. His own bureau should make it without asking another bureau to make the survey. When the Budget law was passed in the House it was thought that the Efficiency Bureau would be abolished, and the gentleman from Tennessee knows that if it were not for the influence of a distinguished gentleman in another body the Bureau of Efficiency would have been abolished at that time. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. WOOD. The gentleman from South Carolina [Mr. BYRNES] has made the best possible argument against the prevalence of his motion when he cites, amongst other things, what are the purposes and duties of the Budget Bureau. I call your attention to the fact that under the law they shall make surveys of the various operations of the Government with reference to the abolishment of certain bureaus and commissions that are duplications, and so forth.

The Bureau of the Budget has not recommended the abolishment of the Bureau of Efficiency. They have made no report whereby the Congress of the United States or the President of the United States would be justified in abolishing the Bureau of Efficiency. One of the fundamental duties of the Bureau of the Budget is to do that thing, and it is assumed they are doing their duty. It is assumed that if there was any reason for abolishing the Bureau of Efficiency that the Bureau of the Budget, whose duty it is to make investigations and recommendations, would report the fact that it should be abolished.

Mr. McKEOWN. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. McKEOWN. I am inclined to be in favor of abolishing boards, but I want to ask the gentleman whether in his opinion, if this amendment prevails, there would be sufficient power under the law read by the gentleman from South Carolina [Mr. BYRNES] by which the efficiency of the workers in this District of Columbia and other workers in the departments of this Government could be looked into? In other words, would we turn them loose or would we hold a check over them?

Mr. WOOD. What would happen would be that you would simply scrap all the machinery of the Bureau of Efficiency. If there was some affirmative legislation it is possible that machinery might be used by the Bureau of the Budget but it should take affirmative legislation to do that thing. I do not know why gentlemen want to produce a chaotic condition by trying to do a thing in this way which, if it is commendable, can be done in an orderly manner. It is not the sensible thing to do. If we were conducting a private business, we would not do anything of that character.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. MOORE of Virginia. Is it not a fact, supporting the gentleman's argument, that the Bureau of the Budget deals with

the general situation and takes into view the matter of duplications and the necessity of regroupings, and so forth, which the duties of the Bureau of Efficiency extend to a consideration of the individual employees and their efficiency?

Mr. WOOD. Yes; I think the gentleman is exactly right about that. Until the Bureau of the Budget, upon which the gentleman from South Carolina [Mr. BYRNES] relies as being the agency to do this work and whose business it is to examine into the Bureau of Efficiency as well as the Treasury and as well as other activities, makes some suggestion to the Congress of the United States that this bureau should be abolished or combined with something else, we are not justified in doing this thing.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. BYRNES of South Carolina. Will not the gentleman admit that General Lord has made the statement that he is going to do exactly what the gentleman from Virginia says, make a survey at this time into the activities of the various departments and bureaus, in order to see whether the President's wish can not be carried out and greater efficiency be effected?

Mr. WOOD. Absolutely; and I do not think I am betraying any confidence when I say that the agency—or until there is a new agency established—which the Bureau of the Budget expects to use in doing that thing is the Bureau of Efficiency. Do not let us hamstring the very thing we are trying to enter upon, and we would be hamstringing the Bureau of the Budget unless we did something which would give them an agency whereby this work could be done.

Mr. WINGO. I can not agree with the conclusion just reached by the gentleman from Indiana [Mr. WOOD]. He says you are going to hamstring the Budget by permitting it exclusively to do those things which the law has already required it to do. The gentleman will not deny that almost word for word the language of the statute in the Budget act with reference to this authority is identical with the language that is in the Bureau of Efficiency law.

Mr. WOOD. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. WOOD. How will the Bureau of the Budget make the survey that is contemplated and as suggested by General Lord unless it has somebody to make it?

Mr. WINGO. All right. As a matter of fact, when you passed the Budget bill, it was contemplated that the work the Bureau of Efficiency was doing should be done by the Bureau of the Budget, and for that very reason we took the identical language, as I understand it, of the act of 1918 covering the Bureau of Efficiency and we embodied it in the act of a later year describing the duties of the Bureau of the Budget and giving powers to the Budget. Does anybody contradict that? Do we not know what the history of it was? Do we not know that one man at the other end of the Capitol hamstringing the Budget to that extent. That is true. Now, the question of economy, the question of making a more businesslike and more efficient machine out of the mechanics of our executive departments is one upon which both parties agree and in which we can join heartily. It is a cause that is worthy of the best efforts of men on both sides of the aisle.

Now, the President in his speech the other night announced what he wanted to do, and I want to submit to you: Are you going to hamstring that effort by having two bureaus charged with the same identical duty, charged to do the same identical thing and work at the same time? And yet that is what you propose to do. Why, gentlemen, the history of all legislation and its administration in this country has shown that whenever you put two identical duties upon two different courts you tend to weaken the enforcement of that law by either court, and whenever you require two different agencies of the Government to do the same thing you diffuse the responsibility and slacken the efforts of each. Gentlemen, I agree with the President's position upon this question.

It is said I criticize the Budget, but I do not criticize the Budget when it performs the duties it was intended it should perform. What were they? The major duty of the Budget was to do the very thing that is set out in the duties of the Bureau of Efficiency. To do what? To make surveys; be the right eye and the right ear of the President of the United States in order to determine where it is possible to bring about economies in administration, efficiency in administration; recommend consolidations of bureaus that are duplicating each other's efforts; recommend the abolishment of useless bureaus; and make recommendations that meet not the desires of bureau chiefs but the absolute necessities of the service, so that the President could make such recommendations to the lawmaking



body—the appropriating body. Then after having done that, and after Congress has made the appropriations, let the Bureau of the Budget continue to be the eye of the President, the ear of the President, and be the responsible head of the Executive in watching and seeing that the money appropriated is being expended in a wise and economical manner. That is the philosophy of your Budget act.

The gentleman from Indiana [Mr. WOOD] asked me just now how would the Bureau of the Budget do so and so? I am sure that the Bureau of the Budget has authority now, and I am sure the gentleman can not contradict it, to set up the machinery that is necessary to carry out the strict mandate and the letter of the law. Can the gentleman challenge that? The gentleman knows that when points of order have been made here against appropriations where there was not a specific provision of law to do certain things, time and again it has been held that it went with the implied powers of a department to set up the machinery necessary to execute the law; but here we have given specific direction to the Budget Bureau to do certain things, and the only possible change this amendment might make is that it might increase the appropriation for the Bureau of the Budget, but you would consolidate there two functions, wipe out one, and put those duties under the responsible accounting head of this Government, the right arm of the President, the Bureau of the Budget, and you would get greater efficiency and less waste.

Mr. WOOD. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto close in 15 minutes.

Mr. BLACK of Texas. Mr. Chairman, I hope the gentleman will not insist upon that.

Mr. MOORE of Virginia. Mr. Chairman, I would like for the gentleman to give me about five minutes.

Mr. WOOD. Then I ask that the debate close in 15 minutes.

The CHAIRMAN. The gentleman from Indiana moves that all debate on this paragraph and all amendments thereto close in 15 minutes.

The motion was agreed to.

Mr. BLACK of Texas. Mr. Chairman, I do not rise in special defense of the Bureau of Efficiency, but I have observed that it has been chiefly criticized by those who are dissatisfied with the results of the reclassification under the reclassification act of 1923. I happen to have been a member of the committee that had that bill in charge on the floor of the House, and I remember when we were asked on the floor of the House as to what would be the actual result of the law in practice so far as expenditures were concerned, we told the House Members that it would result in continuing the basic salaries of the employees, plus the increase of \$240 per annum during the war, and probably about a 5 per cent increase in addition to these.

It was not expected that every single employee should receive the same increase because it was recognized there were many inequalities and one of the purposes of the bill was to try to correct these.

The gentleman from New York [Mr. STENGLE] who frequently debates this proposition, in the remarks he made this afternoon cited one of the Government bureaus, I believe the Supervising Architect's office, in the Treasury Department. If I understood him correctly he said that the employees generally received an average increase of 6 per cent over their basic salaries, plus the \$240 temporary increase during the war. I submit that increase harmonizes with what the Congress expected when the reclassification law was passed. Of course, if certain individuals have received more increase than they were entitled to, that is an abuse of the law.

There is one advantage of this law that these gentlemen never make any mention of, and that is that when an employee is classified he has the opportunity for continuous advancement upon efficiency showing to the top of his grade. This opportunity for promotion given to deserving employees was considered to be one of the best features of the law. At the time this bill was under consideration we also stated to the House that this 5 per cent increase would add about \$4,000,000 to the Government pay roll in the District of Columbia. Many Members of the House wanted to be very cautious and not add any undue burden to the Treasury in passing that bill. I was one of them. Let me read what Mr. Graves, of the Bureau of Efficiency, says and, I think, you will see the Reclassification Board has carried out this law substantially as Congress intended it should be carried out, so far as aggregate increase in expenditures were concerned. There are 64,000 employees in the District of Columbia, and I would not undertake to say that each and every one has been correctly classified. I would not undertake to say that there has

not been here and there some employee who has been classified in a lower grade than he ought to have been placed.

I would not undertake to say there have not been some put in a higher grade than they ought to have been placed. Whenever that has occurred, I do not approve it; I condemn it. But the net result of the whole thing, so far as aggregate costs are concerned, has been what we told the House it would be, and what the witnesses who appeared before our committee told us it would be, and here it is. Mr. Wood, in the hearings, asked Mr. Graves this question:

Mr. Graves, has that reclassification gone far enough now so that you can say with any degree of certainty what has been the increase on account of reclassification so far as salaries are concerned or what the increased percentage of cost has been?

Now, here is Mr. Graves's answer:

Yes, sir; the classification has cost about 4½ per cent on the basis of salaries as they stood before July 1.

That is, if a clerk was getting a basic salary of \$1,200 and \$240 temporary increase during the war, that made \$1,440, and in addition to that there has been an increase of about 4½ per cent. Mr. Graves says:

In round figures that is something less than \$4,500,000.

Now, gentlemen, I am not here to hold any brief for the Bureau of Efficiency, but I do say that the most vigorous fight, the most persistent fight, against it has been by many Government employees in the city of Washington, who seem to think they should have received increases of salaries considerably larger than those which they did in fact receive. In a matter of this kind somebody has to be made the "goat," and it seems the Government employees, or at least some of them, think the Bureau of Efficiency should be made the "goat."

I guess that is perfectly natural, but I do not regard it as sufficient cause to abolish the bureau.

Mr. MOORE of Virginia. Mr. Chairman, until a little while ago there was no notice that a matter of this character would be taken up. I think the debate has developed the fact that it is a matter that ought not to be dealt with now. Whatever one may think about several general questions that have been discussed, it strikes me there is now before us a legislative proposal that deserves more deliberate and careful consideration than can be given it at this moment.

Now, what is proposed? Practically to wipe out the Bureau of Efficiency. Altogether aside from the merits of that proposition, and without regard to whether the bureau is functioning satisfactorily or not, in the first place it is necessary to determine whether the law creating the Bureau of the Budget and the law creating the Bureau of Efficiency are coextensive or not; or to put it in another way, whether all of the important duties that rest upon the Bureau of Efficiency are also by law imposed upon the Bureau of the Budget.

Since the debate began I have looked at both laws, and I am prepared to say that from such a superficial examination there is no one who can be sure that if the Bureau of Efficiency is eliminated the Bureau of the Budget could proceed to discharge all of the duties now performed by the Bureau of Efficiency.

Mr. McKEOWN. Will the gentleman yield?

Mr. MOORE of Virginia. I will.

Mr. McKEOWN. The thing I am interested in knowing is the gentleman's opinion as to whether or not if you do away with the Bureau of Efficiency you will lose more money on account of the inefficiency of employees by having no one to supervise them than you would in the other way.

Mr. MOORE of Virginia. There would be no such supervision as is now had. The Bureau of the Budget would not supervise individual employees as they are supposed to be supervised now. I have no doubt that a legislative committee considering this matter would determine that there is some duplication, and that the Bureau of Efficiency might be identified, might be combined, with the Bureau of the Budget. I think what is in the mind of my distinguished friend from South Carolina, what he is aiming to accomplish, should be done in that way and not done by the adoption of his amendment; that it can not safely be done in that way.

Mr. LEHLBACH. Will the gentleman yield?

Mr. MOORE of Virginia. I will.

Mr. LEHLBACH. I would like to say that the duties of the Bureau of Efficiency that are not embraced by the Bureau of the Budget are those that deal with the efficiency of the individuals and that these functions of the Bureau of Efficiency have been completely taken care of by the classification act, and the supervision of the individual is being done by the



classified agency created by the classification act, so that that function is no longer necessary.

Mr. MOORE of Virginia. I should like to examine all of the laws that apply before reaching a definite conclusion.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BLACK of Texas. I ask that the gentleman's time be extended one minute in order to ask him a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLACK of Texas. Under the reclassification law the classification board is composed of the Civil Service Commission, the Bureau of the Budget, and the Bureau of Efficiency. Until the law is amended the bureau is a proper member of that agency, and if we abolish it the board will be incomplete. Does the gentleman think it would be wise to handle the matter in that way?

Mr. MOORE of Virginia. I think the matter ought to go to the committee of which the gentleman from New Jersey is chairman, the Civil Service Committee, so that we may have legislation brought in instead of dealing with the matter hastily and summarily, as now suggested.

The CHAIRMAN. Without objection the pro forma amendment of the gentleman from Texas is withdrawn. The question is on the amendment offered by the gentleman from South Carolina [Mr. BYRNES] to strike out the paragraph.

The question was taken, and on a division (demanded by Mr. BYRNES of South Carolina) there were 25 ayes and 58 noes.

So the amendment was rejected.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike out the last word. I ask unanimous consent that I may be allowed to speak out of order for five minutes on the question of the conscription of industry and labor in time of war.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to speak out of order for five minutes. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to be allowed to extend my remarks by inserting parts of President Harding's inaugural address on March 4, 1921, and portions of his address to the joint session of Congress on December 8, 1922, his address at Arlington, Declaration Day, 1923, and his address at Helena, Mont., in 1923; a part of the platforms of both the Republican and Democratic Parties referring to universal conscription; short resolutions adopted by leading service organizations in the United States referring to the conscription of industry and men in time of war and short statements of their leaders.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota as stated?

Mr. HOWARD of Nebraska. Reserving the right to object, I do not object to the gentleman's own remarks but I should want some opportunity of knowing what these other things are.

Mr. JOHNSON of South Dakota. I will say that I simply want to insert short statements by President Harding in his addresses to Congress and at the Arlington Cemetery at the time of the burial of the unknown soldier, at Helena, Mont., and some resolutions and statements by service organizations which indorse the principle of universal conscription of men and property.

Mr. BANKHEAD. What purpose does the gentleman hope will be effected by this?

Mr. JOHNSON of South Dakota. I have had for many years before the Military Committee a bill providing for universal conscription, and I want to speak in advocacy of my measure. I was unable to get time under general debate.

Mr. BLANTON. Reserving the right to object, and I shall not object if these excerpts are what I think they are—the excerpts of the various addresses which the gentleman intends to put in are those wherein the President agrees in principle to the recent resolution that has been adopted by the American Legion in support of the conscription of everything the Government needs in time of war?

Mr. JOHNSON of South Dakota. The gentleman is correct.

Mr. HOWARD of Nebraska. Then I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The gentleman from South Dakota is recognized for five minutes.

Mr. JOHNSON of South Dakota. Mr. Chairman, for several years I have had a proposed constitutional amendment before the Committee on the Judiciary of this House providing for the conscription of men and money in time of war. It is

House Joint Resolution 76, which I ask unanimous consent to insert in the Record as a part of my remarks, together with H. R. 4841, which is a bill I introduced on January 7, 1924, and which is now before the Committee on Military Affairs.

The CHAIRMAN. Is there objection to the additional request of the gentleman from South Dakota?

There was no objection.

The matter referred to is as follows:

Joint resolution (H. J. Res. 76) proposing an amendment to the Constitution of the United States

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the several States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:*

"That in the event of a declaration of war by the United States of America against any foreign government or other common enemy the Congress shall provide for the conscription of every citizen and of all money, industries, and property of whatsoever nature necessary to the prosecution thereof and shall limit the profits for the use of such moneys, industries, and property."

A bill (H. R. 4841) to provide further for the national security and defense

*Be it enacted, etc., That in the event of a national emergency declared by Congress to exist, which in the judgment of the President demands the immediate increase of the Military Establishment, the President be, and he hereby is, authorized to draft into the service of the United States such members of the unorganized militia as he may deem necessary: Provided, That all persons drafted into service between the ages of 21 and 30, or such other limits as the President may fix, shall be drafted without exemption on account of industrial occupation.*

SEC. 2. That in case of war, or when the President shall judge the same to be imminent, he is authorized and it shall be his duty when, in his opinion, such emergency requires it—

(a) To determine, proclaim, and conscript the material resources, industrial organizations, and services over which Government control is necessary to the successful termination of such emergency, and such control shall be exercised by him through agencies then existing or which he may create for such purposes;

(b) To take such steps as may be necessary to stabilize prices of services and of all commodities declared to be essential, whether such services and commodities are required by the Government or by the civilian population.

Mr. JOHNSON of South Dakota. Mr. Chairman, we are in a rather unique situation in respect to this particular form of legislation. Immediately after the war there was a great deal of agitation, a great deal of thought given to this particular question of universal conscription. Many speeches were made on the floor of the House and the Senate and the matter was considered in different party platforms. All of the service organizations became convinced that in the event of another war we should have universal conscription, and further consolidating that sentiment in 1919, 1920, and 1921 I prepared these resolutions, and they have been pending before the Committee on Military Affairs and this House. Since that time the different parties—Republican and Democratic—have had their national conventions at Cleveland and New York, and they have specifically indorsed this legislation, almost going so far as to indorse the specific bill to which I have referred, and clearly have indorsed the principles of the legislation. Every service men's organization, the American Legion, the Disabled American Veterans, and the Veterans of Foreign Wars have taken the same action, and yet with every party for the legislation, with no opposition to it in the United States, with all of us pledged to carry it out by the different political platforms, it is absolutely impossible for me to get the bill reported out of the Committee on Military Affairs.

Mr. McSWAIN. Has the gentleman ever appeared before the committee urging the passage of his bills?

Mr. JOHNSON of South Dakota. I was the last witness before the gentleman's committee, as shown by the hearings.

Mr. McSWAIN. That was investigating the resolution of which I was the author?

Mr. JOHNSON of South Dakota. Yes; but appearing in behalf of my resolution and urging its passage by the Committee on Military Affairs.

Mr. HULL of Iowa. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. HULL of Iowa. Has the gentleman ever studied the constitutionality of that bill?



Mr. JOHNSON of South Dakota. I have, and I have no doubt but that we can anticipate the war powers given by the Constitution and pass such legislation, even when there is no state of war. At least we will have laid down the rule, and no one could test the constitutionality except in time of war. If it should be tested by an action brought by an individual, the Congress could speedily reenact the law in time of war, and there would be no profiteering.

Mr. BLANTON. Is it not a fact that every service men's organization in the United States has approved of just such a measure?

Mr. JOHNSON of South Dakota. That is a fact. We are in this peculiar situation. The Military Affairs Committee of the House has reported out a resolution known as the McSwain resolution, to which that gentleman has given a great deal of time and thought, and has considered the Ramseyer resolution providing for further investigation of the subject. My thought is this, that it is rather a confession of weakness on the part of the Committee on Military Affairs if it proceeds to further investigate, when it has already had three years to consider the matter. This is a question that apparently everyone in the United States unanimously favors. The political parties indorse it. I believe that if any one member of the Committee on Military Affairs will move the adoption in that committee of a universal conscription law every member of the committee will immediately vote for it, because he is pledged to vote for it by his own party platform, whether he be a Democrat or a Republican, and that that would secure action at this session of Congress upon a matter that has been made a party matter by each political party. It is only necessary for any member of the Committee on Military Affairs on either side of the House to make that motion in the committee, and then the bill would go on the calendar and it would be ready for action.

We have a Rules Committee in the House. That committee carries out the wishes of the dominant party, and both parties are pledged to this legislation specifically. If one member of the Committee on Military Affairs would make this motion and then secure the reporting of this universal conscription bill to the House, it is unthinkable to me that any member of the Committee on Rules would violate his party platform and not vote for a rule which would bring the matter of universal conscription before the House for action.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARNER of Texas. I believe the gentleman is a member of the Committee on Rules.

Mr. JOHNSON of South Dakota. Yes.

Mr. GARNER of Texas. The gentleman realizes that the Rules Committee has the power now to discharge by rule the Committee on Military Affairs and bring the bill before the House without any report from that committee. Why does not the gentleman take that matter before the Rules Committee and make the motion, it being a unanimous party measure?

Mr. JOHNSON of South Dakota. The situation being such as it is in the Committee on Military Affairs, I did not take that drastic action, because I have thought perhaps some member of the Committee on Military Affairs—now that the matter is again called to their attention, and each and every one is committed to such legislation by party platforms—would take the initiative and make that motion which within two or three days would bring the matter before the House.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. LAGUARDIA. There seems to be a preponderance of the membership in favor of either one of the gentleman's measures, and yet in the closing days of the last session when the McSwain resolution was before us for a study of this proposition, it was impossible to get consideration. I agree with what the gentleman from Texas says. I suggest that the gentleman from South Dakota bring what pressure he can on his own Committee on Rules and give us a chance to vote upon it.

Mr. JOHNSON of South Dakota. I am endeavoring to bring a little pressure upon the Committee on Military Affairs to-day by calling attention to the fact that all anyone on the committee has to do is to make the motion and we will get a chance to vote upon the bill.

Mr. WAINWRIGHT. Is not the gentleman aware that when the McSwain resolution came up on the Consent Calendar the other day there were several objections to it?

Mr. JOHNSON of South Dakota. Yes; but when both parties and the people of the country are specifically committed to this principle, I think such legislation ought not to come up on the Unanimous Consent Calendar in such a manner that one Member of Congress can block it.

Mr. WAINWRIGHT. I desire to ask the question as one who is heartily in sympathy with the proposition involved.

Mr. JOHNSON of South Dakota. I know the gentleman is in hearty sympathy with us.

Mr. WAINWRIGHT. Every military man in this House is in sympathy with it.

Mr. MANSFIELD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. MANSFIELD. Does this authorize the conscription of labor as well as men and money?

Mr. JOHNSON of South Dakota. It authorizes the conscription of industry and man power.

Mr. LOZIER. Why not capital?

Mr. JOHNSON of South Dakota. It includes capital.

Mr. LOZIER. How far does the gentleman think we would get if we undertake to conscript capital?

Mr. JOHNSON of South Dakota. I will say to the gentleman whenever you can conscript men, take them from their pursuits, throw them in the front-line trenches, let them be wounded, gassed, and killed, this Government has the power to conscript money. Perhaps we should give a reasonable interest on it, but you can conscript capital.

Mr. LOZIER. If the gentleman will yield further, is not it a shame and disgrace of the World War the profits that capital made out of it?

Mr. JOHNSON of South Dakota. Absolutely. And I would say, gentlemen, that is one reason I am trying to get some action in reference to this matter.

Mr. WAINWRIGHT. May I suggest to the gentleman that I would commend the distinguished gentleman from Missouri, who is a pretty good lawyer, to a reading of the text of the resolution and apply his own judgment as to whether it would not be pretty effective to conscript capital as well as any other elements that enter into warfare?

Mr. BLANTON. If the gentleman will yield for one more question. I will say to the gentleman that whenever he passes such a bill that conscripts both capital and labor there is not going to be any more war. You are going to take out the object of most of the wars that have occurred.

Mr. JOHNSON of South Dakota. Mr. Chairman, in closing I do not desire to in any way intimate that there would be any influence, intangible or otherwise, that would so arrange matters in this Congress that we can not secure the passage of this legislation, but it is a most unique thing that these parties in their party platforms are directly advocating this legislation, and yet we can not secure action by the committees composed of members of those parties, and as little as I like this rule with reference to the discharge of committees, the one that was adopted some time ago, yet as this is a party matter, as the President of the United States and the Republican Party are committed to it, as the Democratic nominee [Mr. Davis] would have been committed to it, I feel it will be my duty to file with the Clerk of the House a resolution asking that the Military Affairs Committee be discharged—

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JOHNSON of South Dakota. I ask for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. Asking that the Military Affairs Committee of the House be discharged and that this matter be brought before the House, because I know no Member of the House of either the Democratic or Republican Party can oppose it.

Mr. GARNER of Texas. If the gentleman will yield, why go through with all of that matter of signing up this petition when the gentleman belongs to the dominant party? You have eight members of the Committee on Rules, and the gentleman is a member of that committee, and why not introduce a resolution to discharge the Committee on Military Affairs and take it to the Rules Committee, and there you have a hearing and then they can report it, and it can be brought before the House?

Mr. JOHNSON of South Dakota. The gentleman from Texas is one of the great leaders of the Democratic Party. He has asked me why I do not. Will the Democratic members of the Rules Committee vote with me on that?

Mr. BANKHEAD. The gentleman from Texas is not a member of the Committee on Rules, but I happen to be a member, and I want to say to the gentleman right now that I do not



propose to commit myself to vote for any rule with reference to a bill until I see what is in the bill.

Mr. JOHNSON of South Dakota. I think the gentleman is correct in that.

Mr. BANKHEAD. The gentleman seems to be complaining about the nonaction in reference to his measure; and in addition to what my friend from Texas has said in reference to the legislation he has in mind, I wish to remind the gentleman that his party absolutely controls the majority of the Committee on Military Affairs, and if what the gentleman says is true, if one member of that committee would make the motion to report the bill, we would get action. I trust my friend from South Dakota has enough influence at least with one member on his side of the Committee on Military Affairs to have that motion made, and that would accomplish what he has in mind.

Mr. JOHNSON of South Dakota. I will say to my distinguished friend from Alabama that what little influence I have is being used right on the floor now trying to get just one member of the Republican side of the Military Affairs Committee to make that motion which I say must be adopted, because every member is committed—

Mr. WAINWRIGHT. If the gentleman will give way, I think it is but fair to the Military Affairs Committee to state that the committee in general—and I think I spoke to every member on that committee—is very much in sympathy with the proposition involved in the resolution.

His resolution would carry this into effect. The resolution reported by the committee and introduced by the gentleman from South Carolina [Mr. McSWAIN] called for an investigation of the subject with a view to framing a resolution.

Now possibly the reason why the committee adopted that course was that it was in the interest of a little conservatism concerning a pretty radical proposition.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. BANKHEAD. Is the gentleman from New York [Mr. WAINWRIGHT] in favor of the bill of the gentleman from South Carolina?

Mr. WAINWRIGHT. I am not.

Mr. BANKHEAD. Why not accept the invitation of his friend now, and bring this in?

Mr. WAINWRIGHT. There is a very slight probability that I will accept the invitation.

Mr. JOHNSON of South Dakota. Mr. Chairman, I want to say to the gentleman, for whom I have the greatest respect, that I know he is in sympathy with this matter, but we are to a place where the legislation needs a little more than sympathy. I hope we will have the gentleman's enthusiastic support.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RAMSEYER. Did we not, before the close of the last session, report out a resolution introduced by the gentleman from South Carolina [Mr. McSWAIN]? Where is that resolution now? It was reported.

Mr. JOHNSON of South Dakota. There was not time to call it up.

Mr. RAMSEYER. It was called up.

Mr. JOHNSON of South Dakota. No. But let me call the attention of the gentleman from Iowa to this fact, that since that adjournment of Congress the Republican Party met at Cleveland and the Democratic Party met at New York, and both of them made declarations in favor of this legislation. The time is now ripe for action.

In his inaugural address, March 4, 1921, President Harding indorsed the bill as follows:

If, despite this attitude, war is again forced upon us I earnestly hope a way may be found which will unify our individual and collective strength and consecrate all America, materially and spiritually, body and soul, to national defense. I can vision the ideal Republic, where every man and woman is called under the flag for assignment to duty for whatever service, military or civil, the individual is best fitted; where we may call to universal service every plant, agency, or facility, all in the sublime sacrifice for country, and not one penny of war profit shall inure to the benefit of private individual, corporation, or combination; but all above the normal shall flow into the defense chest of the Nation. There is something inherently wrong, something out of accord with the ideals of representative democracy, when one portion of our citizenship turns its activities to private gain amid defensive war while another is fighting, sacrificing, or dying for national preservation.

Out of such universal service will come a new unity of spirit and purpose, a new confidence and consecration, which would make our defense impregnable, our triumph assured. Then we should have little or no disorganization of our economic, industrial, and commercial sys-

tems at home, no staggering war debts, no swollen fortunes to flout the sacrifice of our soldiers, no excuse for sedition, no pitiable slackness, no outrage of treason. Envy and jealousy would have no soil for their menacing development and revolution would be without the passion which engenders it.

Before a joint session of the House and Senate on December 8, 1922, he said:

The proposed survey of a plan to draft all the resources of the Republic, human and material, for national defense may well have your approval. I commended such a program in case of future war in the inaugural address of March 4, 1921, and every experience in the adjustment and liquidation of war claims and the settlement of war obligations persuades me we ought to be prepared for such universal call to armed defense.

In his address at Arlington Cemetery on Decoration Day, May 30, 1923, he said:

The arguing veterans, 50 years after Gettysburg, on the scene of the world-famed combat, were thinking of industrial greed in the North and slave-owning greed in the South. But in reality their prejudices had been inspired by the hateful profiteering incident to war.

In all the wars of all time the conscienceless profiteer has put the black blot of greed upon righteous sacrifice and highly purposed conflict. In our fuller understanding of to-day, in that exalted consciousness that every citizen has his duty to perform and that his means, his honor, and his life are his country's in a time of national peril, in the next war, if conflict ever comes again, we will not alone call to service the youth of the land, which has in the main fought all our wars, but we will draft every resource, every activity, all of wealth, and make common cause of the Nation's preservation. God grant that no conflict will come again, but if it does it shall be without profit to the noncombatant participants, except as they share in the triumphs of the Nation.

It will be a more grateful Nation which consecrates all to a common cause, and there will be more to share the gratitude bestowed. More, there will be a finer conscience in our war commitments and that sublimity of spirit which makes a people invincible.

President Harding, on his fateful journey from which he never returned, at Helena, Mont., on June 29, 1923, said:

I have said before, and I choose to repeat it very deliberately now, that if war must come again—God grant that it shall not—then we must draft all of the Nation in carrying it on. It is not enough to draft the young manhood. It is not enough to accept the voluntary service of both women and men whose patriotic devotion impels their enlistment. It will be righteous and just, it will be more effective in war and marked by less regret in the aftermath if we draft all of capital, all of industry, all of agriculture, all of commerce, all of talent and capacity and energy of every description to make the supreme and united and unselfish fight for the national triumph. When we do that there will be less of war. When we do that the contest will be aglow with unsullied patriotism, untouched by profiteering in any service.

Of course, we are striving to make condition of foreign relations and so fashion our policies that we may never be involved in war again. If we are committed to universal service—that is, the universal commitment of every American resource and activity—without compensation except the consciousness of service and the exultations in victory we will be slower to make war and more swift in bringing it to a triumphant close. Let us never again make draft of our manhood without as exacting a draft of all we possess in the making of the industrial, financial, commercial, and spiritual life of the Republic.

The Republican platform—1924—contained the following:

We believe that in time of war the Nation should draft for its defense not only its citizens but also every resource which may contribute to success. The country demands that should the United States ever again be called upon to defend itself by arms, the President be empowered to draft such material resources and such service as may be required, and to stabilize the prices of services and essential commodities, whether used in actual warfare or private activities.

The Democratic platform—1924—contained the following:

War is a relic of barbarism, and it is justifiable only as a measure of defense.

In the event of war, in which the man power of the Nation is drafted, all other resources should likewise be drafted. This will tend to discourage war by depriving it of its profits.

That great service organization, the American Legion, at its third annual convention at Kansas City, Mo., October 31, November 1 and 2, 1921, had indorsed the law as follows:

The report recommended the appointment of a committee by the national organization of the Legion to study the question of universal draft in time of national emergency, of all persons capable of military and industrial service, together with the universal draft of land, ma-



terial, plants, and capital suitable for preparation and prosecution of war, and report the result of the study to the next national convention.

The American Legion resolution adopted at its fourth annual convention, New Orleans, La., October 16-20, 1922:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—*

1. That, in the event of a national emergency declared by Congress to exist, which, in the judgment of the President, demands the immediate increase of the Military Establishment, the President be, and he is hereby, authorized to draft into the service of the United States such members of the unorganized militia as he may deem necessary: *Provided*, That all persons drafted into service between the ages of 21 and 30, or such other limits as the President may fix, shall be drafted without exemption on account of industrial occupation.

2. That in case of war, or when the President shall judge the same to be imminent, he is authorized, and it shall be his duty, when, in his opinion, such emergency requires it:

A. To determine and proclaim the material resources, industrial organizations, and services over which Government control is necessary to the successful termination of such emergency, and such control shall be exercised by him through agencies then existing or which he may create for such purpose.

B. To take such steps as may be necessary to stabilize prices of services and of all commodities declared to be essential, whether such services and commodities are required by the Government or by the civilian population.

Resolution adopted by the American Legion at its fifth annual convention, San Francisco, Calif., October 15-19, 1923:

Whereas a special committee was appointed by resolution of the third national convention of the Legion to draft legislation which would provide for the conscripting in time of war of all the resources of the Nation, including capital, labor, industry, and transportation, as well as man power, so that the sacrifices of war in the future may be as nearly equalized as possible among all elements of our population and the profit taken out of war so far as is humanly possible; and

Whereas the Legion believes that a law of this character would not only be a bulwark of national defense in time of emergency but would also lessen the enthusiasm for war among certain elements of our population; and

Whereas this special committee, after a year of study, reported its findings to the fourth national convention of the Legion in the form of proposed legislation, which received the approval of the convention and of the General Staff of the Army; and

Whereas, in accordance with this action, legislation was introduced in the House during the last session of the Congress by Representatives JOHN J. McSWAIN, of South Carolina, and ROYAL C. JOHNSON, of South Dakota, both Legionnaires; and

Whereas this legislation was submitted to the late President Harding and received his unqualified indorsement, which he voiced in his address on last Memorial Day before the tomb of the Unknown Soldier at Arlington; and

Whereas this legislation was referred to the Committee on the Judiciary of the House, but this committee failed to report it to the House for action: Therefore be it

*Resolved*, That the fifth national convention of the Legion reaffirms its indorsement of this constructive and equitable principle and instructs the legislative committee to secure the introduction in the Congress of measures designed to accomplish this end and to press for their enactment by Congress.

Resolution adopted by the American Legion at its sixth national convention, St. Paul, Minn., September 15-19, 1924:

Whereas the fourth annual convention of the American Legion at New Orleans unanimously adopted the following universal service act, which has been prepared by the military policy committee of the American Legion, and which reads as follows:

An act to provide further for the national security and defense

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—*

(1) That in the event of a national emergency declared by Congress to exist, which in the judgment of the President demands the immediate increase of the Military Establishment, the President be, and he is hereby is, authorized to draft into the service of the United States such members of the unorganized militia as he may deem necessary: *Provided*, That all persons drafted into service between the ages of 21 and 30 or such other limit as the President may fix shall be drafted without exemption on account of industrial occupation.

(2) That in case of war or when the President shall judge the same to be imminent, he is authorized and it shall be his duty when, in his opinion, such emergency requires it—

(a) To determine and proclaim the material resources, industrial organizations, and services over which Government control is neces-

sary to the successful termination of such emergency, and such control shall be exercised by him through agencies then existing or which he may create for such purposes;

(b) To take such steps as may be necessary to stabilize prices of services and of all commodities declared to be essential, whether such services and commodities are required by the Government or by the civilian population; and

Whereas this universal service act is now embodied in specific legislation introduced in Congress during the past session by Representative ROYAL C. JOHNSON in the House of Representatives and Senator ARTHUR C. CAPPER in the Senate;

Therefore, our committee recommends to this national convention that the passage of this important legislation be made one of the major activities of the American Legion during the coming year, and that the full influence and support of our organization be used to make effective as soon as possible this legislation which the Legion believes will help insure our country against war and provide that in any future emergency there shall be no more slackers or profiteers, and that we shall have in the future equal service for all and special profit for none.

One of the great leaders of the Legion, Marquis James, said:

THE LEGION'S CAMPAIGN FOR A UNIVERSAL DRAFT LAW

#### 1. THE OBJECTIVE

For three years the American Legion has been clearing the way for one of the most striking pieces of legislation of a generation. The proposed Johnson law is a peace measure. It is a preparedness measure. It is a measure of common justice and equity. It is a measure calculated to make war and the prospect of war more remote. But in the event war does come, despite these safeguards, this measure proposes the means whereby the war shall be fought more rigorously, more efficiently, more effectively, more honestly, and more cheaply than ever a war was fought before. It proposes that war shall be waged on a basis of equal service for all and special favors and profits for none.

The proposed law is the so-called universal draft, which would put capital, labor, and manpower—the three great concomitants of a national war effort—on the same identical nonprofit-taking basis of universal service.

Universal service in war time—the selective draft as applicable to the manpower of the nation which is of age and physical fitness for military service—is an established principle of the country. The eligible manhood of the Nation, the rich and the poor, the high and the low, must serve in the armed forces without discrimination or distinction. They must serve for pay which is purely nominal.

So far, so good. But soldiers do not wage a war alone. The experiences of the late war are so recent and so clearly in mind as to make this assertion a truism recognized by all. For every man who reached the firing line in the last war we had 15 men not in uniform working at home to keep him supplied with what a man on the front must have in order to transact his business there. We sent 2,000,000 men to France. More than 3,000,000 men labored at home in the ordnance factories alone, and the provision of ordnance was only a part—and in the aggregate a small part—of our war endeavor in the great services of supply.

These toilers in the home services of supply fall into two lots. These go by the common terms of labor and capital. The workers who man the factories and mills, the shipyards and mines, the farms, the forests, the railroads, and the hundred other theaters of endeavor where are produced the raw materials and the finished products which are required to carry on a war—these workers comprise labor. They are quite as essential to the prosecution of a war as the soldiers are. The men who own and build and run the factories and mills, who provide with their money and their brains the facilities and the organization, who give labor its job and pay it its pay on Saturday nights to work and produce the wherewithal which keeps the soldiers in the field—this is capital, the third indispensable requisite to the waging of war. Soldiers, labor, capital. No one of them can get along without the other two. They are the real comrades in arms.

Now, as we have seen, we draft soldiers and pay them a dollar a day. We do not draft labor. We do not draft capital. We taxpayers go into the open competitive market and engage them on a commercial basis. We pay laborers \$15 a day and capitalists \$15,000 a day to help the dollar-a-day soldier win the war. The laborer sleeps at home, safe and secure. The capitalist sleeps at home, safe and secure. The soldier dodges shrapnel on the front. He forgets what a good sleep feels like.

This sort of thing is not right. It is a shabby way to treat the soldier, who has the most dangerous and disagreeable part of the war's chores to do. It is equally bad for the laborer and the capitalist. It tends to weaken the moral fiber. It creates false values. It inflates prices. It changes a familiar world into a strange, unreal one, and at a time of stress when the accustomed landmarks are needed most. This is all especially rough on John Taxpayer, who foots the bill in the



end. It is an affront to any civilized conception of fairness and justice. It is bad all around for the country—a bad thing at a bad time, for war at its best has little enough to recommend it.

Everyone admits the situation is as wrong as wrong can be. No one has ever undertaken to defend it.

The American Legion is not content merely to assail this order of things and to call it hard names. The Legion undertakes to change it.

The Legion has a personal acquaintance with the soldier side of war. By diligent study it has informed itself of the capital and labor sides. It proposes a remedy for the condition which confronts us. This remedy is based on the elimination of the economic distinctions between militarized man power, militarized labor, and militarized capital in war time.

The Legion has had this matter under close, careful, and continuous consideration for three years. It has devised the universal draft bill, which some of the outstanding experts of the country say is the best bill that can be devised.

In a resolution the Disabled American Veterans said:

Whereas each successive war in which our country has been forced to engage has found the Nation inadequately prepared, thereby causing unnecessary additional loss in men and material; and

Whereas, while we are a peace-loving people, it is reasonable to suppose, based upon the experience of mankind since time immemorial, that war will again come at some uncertain date; and

Whereas the time has now passed when men have been sent to the field to give battle and war to-day means the mobilization of not only armies but the whole nation, if a war is to be carried to a successful termination; and

Whereas the men who still bear the scars of service are, in a particular way, qualified to discuss war from its most real angles: Therefore be it

*Resolved*, That the Disabled American Veterans of the World War in national convention assembled, at Salt Lake City, in June, 1924, condemn the pernicious activities of groups prowling around the country attempting to undermine the national conscience by pernicious pacifist propaganda that would Chinify America; and be it further

*Resolved*, That Congress be urged to maintain thoroughly adequate military and naval establishments sufficient to not only furnish a proper first line of defense, but capable of emergency expansion and the training of the citizens who are to bear arms should America again be threatened; and be it further

*Resolved*, That in the future American capital and labor be conscripted on the same basis as the man power of the Republic was conscripted in 1917 and 1918.

An editorial appeared in The Christian Science Monitor on November 15, 1923, advocating universal mobilization in time of war and since that time the newspaper has been conducting a nation-wide campaign in favor of the proposal. The Monitor does not claim originality in this proposition but has merely tried to give voice to what is a widespread public demand. The Monitor has been flooded with expressions of approval of this peace plan. Newspapers in every State of the Union have given favorable comment to it. Individuals and organizations have united their indorsement. There appears to be no definite opposition from any source to the main outlines of the proposition that the paper has encountered.

As originally proposed, the peace plan advocated by The Christian Science Monitor was as follows:

In the event of a declaration of war, the property, equally with the persons, lives, and liberties of all citizens, shall be subject to conscription for the defense of the Nation, and it shall be the duty of the President to propose, and of Congress to enact, the legislation necessary to give effect to this amendment.

Two aspects of the plan have been emphasized by editorial writers of this newspaper. The first is that universal conscription in the event of war, as proposed under the plan, carries military preparedness through to a 100 per cent effectiveness. With the whole country in khaki, serving at \$30 a month like ordinary soldiers, with no resources for anyone and all resources turned over to the Government—the United States would be invulnerable. It would be such a fighting unit as the world has never before seen and such as no other nation would dare to attack.

In the second place, the universal mobilization bill would make money talk for peace. As described by editorial writers in the Monitor:

At the present time we don't find the big moneyed interests of the country, in any very definite way, working for peace. Peace movements are not run from Wall Street. Why should they be? If war comes on, why, let it come. The prospects are that with war or rumor of war prices will soar. Men in steel and oil and munitions plants seem to have everything to gain and nothing to lose in a fight.

But let this plan be adopted. Let it be known that from this day profits will cease when war begins. Let the industrialists and those who direct the policies of the country—policies that are often war provocative—realize that dividends depend upon peace, and instead of indifference to peace or actual propaganda for war dividend holders will put their money to work for peace. Economic rivalries that now are war provocative will become the provocators of peace.

The Christian Science Monitor, with its circulation of from 90,000 to 100,000 daily copies in churches, libraries, and clubs over the whole country, distributing as many copies of its paper on the Pacific coast as it does in the New England territory, where it is published, has performed a great work in giving publicity to this plan for preserving peace by taking the profits out of war. The approval that has rewarded its efforts, both from readers and those whom it has interviewed, shows the extent of the demand for legislation of this character.

I have so fully presented the matter to Congress because I believe it is vital to the future of the country and is a peace measure. We want no wars, but if we have them let us see to it that all citizens give equally of service and suffering.

I again urge action by the Military Committee.

The CHAIRMAN. The time of the gentleman from South Dakota has expired. Does the gentleman from Indiana [Mr. Wood] claim the floor?

Mr. WOOD. No; I ask that the Clerk read. The gentleman was speaking out of order.

Mr. GARNER of Texas. Mr. Chairman, the gentleman from South Carolina [Mr. McSWAIN] is the author of the resolution that has been reported. He would like to have five minutes in order to discuss this matter from his angle. I think it would be fair to give him that five minutes.

Mr. WOOD. Mr. Chairman, I move that all debate on this paragraph or on any amendment, foreign to this bill, not dealing with it, be closed in five minutes.

The CHAIRMAN. The gentleman from Indiana moves that all debate on this paragraph and all amendments thereto be closed in five minutes. The question is on agreeing to that motion.

The motion was agreed to.

Mr. McSWAIN rose.

The CHAIRMAN. The gentleman from South Carolina is recognized.

Mr. McSWAIN. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to speak out of order. Is there objection? There was no objection.

Mr. McSWAIN. Mr. Chairman and gentlemen of the committee, I am as much in favor of the principle as advocated by former President Harding and as enunciated by the Republican and Democratic platforms as anybody in the world can be, and I think I have manifested my interest by reason of the fact that I conducted hearings before the Committee on Military Affairs that filled a volume of 250 pages. I think I can modestly say I have studied the subject somewhat, and I want to say to you, in all frankness, that while I am sincerely in favor of the general principle involved here—a principle that can be so glibly shot off in terms of justice and humanity, and so on—the more I have studied it the greater difficulty I have seen in framing legislation which will accomplish that result with impartial and exact justice to all interests concerned in the future. For that reason, gentlemen, I have asked that a commission be created along the line of the general proposition included in the resolution introduced by the gentleman from Iowa [Mr. RAMSEYER]; that a commission representing the House and the Senate be appointed; and my resolution contemplates also bringing from the outside representatives of the three great interests of the Nation, to wit, capital, industry, and labor, and also bringing representatives from the Cabinet, to wit, the Departments of War, Navy, and Commerce, so that when this report comes in here there will be the combined and resultant judgment of all these factors in American life.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield there?

Mr. McSWAIN. Yes.

Mr. JOHNSON of South Dakota. When the gentleman conducted the hearings, did not the Secretary of War and the Secretary of Commerce, and the Secretary of the Navy appear before him, and have not all of them given the Committee on Military Affairs the benefit of their judgment?

Mr. McSWAIN. Exactly so, but in general terms. But, gentlemen, as I have stated time and time again before the com-



mittee, although I have my views about this matter, I am not so very cocksure of my judgment in a matter of such vast importance as this as not to want to sit around a table with men who have contrary views as to the details of it. My idea is that we should consider one matter in connection with other matters. We should consider that legislation word by word, and paragraph by paragraph, and frame it in such a way as that it will last not only for a day but for the future, in the event there should be another war.

Mr. LaGUARDIA. Mr. Chairman, will the gentleman yield? Mr. McSWAIN. Yes.

Mr. LaGUARDIA. Does not the gentleman think that after the substantive law has been passed by us it would then be time enough to consider administrative features and details, as suggested by the gentleman's resolution?

Mr. McSWAIN. Yes; probably so. But the proposition in the Johnson bill virtually is this, To give the President alone absolute power to take every human being and every particle of property in this whole Nation, to be used at his own absolute, uncontrolled discretion; and I say now that while the matter is now fresh in our minds, while the experiences of the last war are still fresh in our minds, and we retain vivid memories of recent incidents and events, while we are still cognizant of the mistakes as well as the successes with which we conducted that great war, we, in our wisdom, should define the manner in which the President shall exercise that power, because I am not willing to create a despot unless I know who that despot is to be. [Applause.]

Mr. McKEOWN. Mr. Chairman, will the gentleman yield? Mr. McSWAIN. Yes.

Mr. McKEOWN. I want to say to the gentleman that that is one of the great questions which have occupied our thoughts, and I agree with my friend that we should be very careful in framing the legislation.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. McSWAIN. Certainly.

Mr. JOHNSON of South Dakota. Does not the gentleman understand that under the Constitution of the United States there is no place where we can vest this war power except in the hands of the President, and we have placed that power in the hands of the President in every war that we have conducted?

Mr. McSWAIN. No. Congress possesses the duty and the power, and Congress alone can declare how the war powers shall be exercised; and when we declare war, and only then, do we place the conduct of the war in the hands of the President, a power that the Constitution gives him, a power to be exercised according to law enacted by Congress. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired. The Clerk will read.

The Clerk read as follows:

For all printing and binding for the Bureau of Efficiency, \$350.

Mr. STENGLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. STENGLE. Mr. Chairman, it is not my purpose at this time to undertake to make any extended remarks, but rather to continue a part of the speech made by me on January 17 last, under the head of general debate on this particular appropriation bill. On that date those of you who have had interest enough to read my remarks will remember that I set forth certain indictments and at the same time recommended certain cures. Subsequent to that speech on reclassification a number of my colleagues have said to me that they like the ideas I have promulgated, but that I am not specific enough as to details in order to convince those who are in doubt as to whether or not my indictments would lie in the premises were they brought to judgment.

It shall be my purpose from this hour on as specifications come into my possession—and they are coming in by every mail—to submit them for the Record in order that he who runs may read and understand whether or not the indictments I have laid at the door of the Personnel Reclassification Board are based upon facts or upon fiction, upon real orderly procedure or upon frivolity, personal feeling, or animosity.

In connection therewith, as specification No. 1, I call the attention of the House to page 343 of the hearings by the subcommittee of the House Committee on Appropriations in charge of the Treasury Department appropriation bill. On that page Mr. Wetmore—James A. Wetmore, Supervising Archi-

tect—was on the stand and being catechized by members of that committee. In answer to a question by the gentleman from Pennsylvania [Mr. VARE] Mr. Wetmore, among other things, declared:

I would like to say that we have but three people in the entire office who are above the minimum of the grade in which they are, and those three persons average only about \$100, possibly, above the minimum.

That seemed to satisfy the committee having charge of appropriations for the division under the supervision of Mr. Wetmore.

Now, my colleagues, I hold in my hand a survey made of only one bureau under the supervision of the said Mr. Wetmore. I likewise have here, and later on will submit as addenda, the history and facts concerning every other bureau under his direct supervision, but at this time I shall read from a blueprint prepared by an expert. I say prepared by an expert because I have known this man for the last 10 years and I know his expert ability. I know he is an expert and I know he knows what he is talking about.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. STENGLE. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. STENGLE. That man has been fair enough and honest enough to acknowledge that in all my work along the lines I have been pursuing here I have had only one object in view, namely, the elevation of the service and not to pander to the whim or caprice of either men in high authority or those in low estate. I want to read into the Record for your edification a copy of the last July 1 allocation. Mr. Simon, superintendent of the drafting division, was \$3,000; under the allocation he is now \$5,200, an increase of 72 per cent. Mr. Stone, assistant superintendent, was \$2,750; he is now \$3,800, an increase of 40 per cent. Mr. Elliott, head draftsman, was \$2,500; he is now \$3,800, an increase of more than 50 per cent.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. STENGLE. I will yield if the gentleman will not take up all of my time.

Mr. BLACK of Texas. I do not want the gentleman to create an erroneous impression. When the reclassification act was passed the Chief of the Bureau of Standards, for example, was getting \$5,000 and the law now classifies his position in such a way that, I suppose, he will get \$7,500. Now, where is that the fault of the classification agency? I called attention to these large increases in some of the higher grades when we had the bill up and I offered amendments seeking to correct them. The amendments were adopted by the House but the items of excessive rates were restored in the Senate.

Mr. STENGLE. If the gentleman is sincerely desirous of seeking honest information he can help me obtain it if he will get an explanation from somebody as to why a lawyer has been made Supervising Architect in the Treasury Department.

Mr. BLACK of Texas. Well, Mr. Wetmore has been acting as executive officer in that department, to my certain knowledge, for seven or eight years, and seems to be a very capable man.

Mr. STENGLE. Under the title of Acting Supervising Architect, which is a misnomer and a violation of the civil service law. Now, I will go further, and I hope gentlemen will not disturb me, because my time will be gone. There are here next following five, and I ask permission to extend my remarks by putting the names and figures in the Record, in which there is an increase of 40 per cent, and then there appear five more with an increase of 39 per cent. Then we come to that great working army, that army referred to by some here as the "kickers in the departments—the ones who are always complaining." Whenever we undertake to criticize a higher-up there is always somebody on this floor, on one side or the other, who points with "sniveling eye" to the poor little employee who happens, perchance, to be getting a very humble wage. Let me say to those who attack the poor underdogs in the departments in this city that the humblest man or woman in any of the departments is an American citizen and entitled to your protection and mine as well as the higher ups. Now, I want to say that this great department, this bureau, has 12 colonels and 22 privates; the 12 colonels have taken over most of the money we voted and the 22 privates have gotten only about 6 per cent.



My colleagues, listen to the following and then inform me as to what you think of such a situation:

	On July 1 last	Final allocation
Superintendent Simon.....	\$3,000	\$5,200
Assistant Superintendent Stone.....	2,750	3,800
Head Draftsman Elliot.....	2,500	3,800
Foreman Noll.....	2,740	3,800
Foreman Balch.....	2,740	3,800
Foreman Morris.....	2,740	3,800
Foreman Foerster.....	2,740	3,800
Foreman Blakeslee.....	2,640	3,800
Assistant Foreman Whiton.....	2,440	3,000
Assistant Foreman Lane.....	2,440	3,000
Assistant Foreman Litzau.....	2,440	3,000
Assistant Foreman Muldny.....	2,240	3,000

These all belong to the coterie of bosses, and, of course, were well cared for. What was left of the lump-sum appropriation was then divided among those who do the real work in that office. Scan the following list and see whether the instructions of this Congress have been carried out, either in letter or spirit:

Draftsmen	Salary July 1 last	Final allocation
Crane.....	\$2,440	\$2,500
Bachschmid.....	2,240	2,400
McClelland.....	2,240	2,400
Brody.....	1,840	2,400
Burgess.....	2,240	2,400
Scott.....	2,240	2,400
Walther.....	2,040	2,400
Mason.....	2,040	2,400
Lamster.....	2,240	2,400
Krauss.....	2,040	2,100
Jones.....	1,640	1,680
Buckingham.....	2,240	2,400
Woodward.....	2,240	2,400
Williamson.....	2,040	2,400
Evans.....	2,040	2,400
Simpson.....	1,640	1,680
Wischusen.....	2,040	2,400
Palcho.....	1,840	2,400
Bausch.....	2,040	2,400
Brown.....	2,040	2,400
Welsh.....	2,440	2,500
Keene.....	1,740	2,400

Crane, Bachschmid, McClelland, Burgess, Scott, Lamster, Buckingham, Woodward, and Welsh are all "charge men"; that is to say, they are qualified both by experience and education to take charge of important work and are put in charge of important work for the Government. And yet, the total increase granted these men is only \$1,240, or an actual increase of only 6 per cent. Compare, if you please, the treatment of these with that of those among the "bosses" and you will find one of the reasons why complaints are pouring into our offices about the reclassification.

I wish to announce through you, Mr. Chairman, that until the midday shall strike on March 4; yes, further than that, even after I have left the sacred confines of this glorious Chamber, I will dedicate my life and my feeble efforts to the running down of the last one who grabbed the money for the higher-ups and kept it from those for whom it was intended.

Mr. BLACK of Texas. Mr. Chairman, I rise to oppose the pro forma amendment.

The gentleman from New York [Mr. STENGLE] seems to think that every time a Member of the House gets up and calls his attention to the provisions of the reclassification law he is showing some lack of sympathy for the lower-paid Government employees.

As I stated when we were discussing the Bureau of Efficiency, there are 64,000 employees of the Federal Government in the District of Columbia, and able man as the gentleman from New York is, it will be impossible for him to sit as a judge as to the classifications that have been made under the reclassification law; but I do submit that when that bill was before the House of Representatives for legislative consideration—and we did not have the honor of the gentleman's presence; I wish he had been here—there were Members of the House who demanded to know how much it was going to cost the Government, and in answer to that very proper and pertinent inquiry we gave them information from the witnesses who came before us, and we said it will cost this. It will continue the basic salaries plus the \$240 increase during the war, and will give an average increase over these two items of about 5 per cent.

Mr. STENGLE. Will the gentleman yield?

Mr. BLACK of Texas. I will be glad to yield.

Mr. STENGLE. I submit the gentleman made the statement a moment ago that he regretted I was not here when you passed that bill.

Mr. BLACK of Texas. I do.

Mr. STENGLE. May I not inquire whether the gentleman does not think a man who has come later and who observes facts that are outstanding is entitled to and ought to show them to his colleagues?

Mr. BLACK of Texas. Yes; and I am always glad to hear the gentleman; but I would like to ask him this question: Does the gentleman contend that in this process of reclassification the Government employees, speaking of them as a body, have not received their basic salary plus the \$240 temporary increase paid during the war, plus an average increase of something like 5 per cent?

Mr. STENGLE. My answer to that will be this, and you will find it confirmed by the chairman of the Committee on Appropriations this year. If you will read the hearings of the various departments before the Committee on Appropriations this year, you will discover by admissions made that the vast majority of the funds that this House voted in lump sum last year were allocated to "higher ups," who did not need the money so much, and the "lower downs" were left out in the cold.

Mr. BLACK of Texas. Well, that is perhaps a good speech to make, and I am not defending any erroneous, much less any wrongful classifications that have been made; but I do call attention to the fact that the professional services, for example, were given a maximum of \$7,500. The executive officers in the clerical service were given a maximum of \$7,500, and therefore the head of a bureau like the Bureau of Standards, for example, or the head of a bureau like the Bureau of Chemistry, was classified in the professional services, and by very force of the law was given the salary of his grade.

Mr. STENGLE. Now, will the gentleman yield?

Mr. BLACK of Texas. Just one minute, and then I will yield.

I am not defending these higher salary scales. I sought to lower them. My amendments were adopted, but the Senate restored them, and some of the very gentlemen that I have heard say most about this matter on the floor of the House were the ones who did nothing at all to prevent that high salary scale which I called attention to on the floor of the House and sought to correct.

Mr. LEHLBACH. Will the gentleman yield?

Mr. BLACK of Texas. I yield to the gentleman.

Mr. LEHLBACH. The gentleman will remember that the amendments of which he speaks and which he offered on the floor of the House had been previously agreed to by the committee and had the backing of the committee.

Mr. BLACK of Texas. Yes; the gentleman from New Jersey supported them, I am glad to say.

Mr. STENGLE. Will the gentleman permit an observation there?

Mr. BLACK of Texas. Yes.

Mr. STENGLE. I do not want to be understood on this floor or elsewhere as being opposed to paying a fair wage for honest service. A "higher up," if we want to call him that, who occupies a position of responsibility, who is doing great work of initiation, whose thoughts are original, whose activities are productive, ought to be recognized and recognized well, but the point I make is that you and others and myself last year by lump-sum appropriations determined to distribute over this vast army of Government servants a certain amount of money with the understanding that it should be apportioned in accordance with the reclassification law, and when the results are brought back this year to the Committee on Appropriations—and I ask any Member to deny it if I misstate the facts—

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask that the gentleman may have three more minutes. I want to ask him a question.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] asks that the time of the gentleman be extended three minutes. Is there objection?

There was no objection.

Mr. STENGLE. I submit my only spirit of fault finding is with the violation of the spirit and of the very letter of our instructions of last year, to wit, that only \$60 is given to hundreds and thousands as an increase in their wage, while others are getting increases from \$2,000 to \$3,000, and I ask



the gentleman, in all fairness, is that his conception of an allocation under the law?

Mr. BLACK of Texas. It is not. I have no desire and no purpose to defend any wrongful act in administering the law, but I do want to call attention to the law, and I do not believe any gentleman who remembers the discussion will dispute it, that it was understood that the general body of Government employees would receive their basic salaries plus the \$240 temporary increase during the war, plus about 5 per cent increase, and I think that has been done; and if it has not been done—

Mr. STENGLE. Did they get that?

Mr. BLACK of Texas. I think so. That is my understanding. I do not contend that every individual Government employee got it, but I think most of them did.

Mr. STENGLE. I submit that I know a member of the committee here who thinks not.

Mr. BLACK of Texas. Well, I will be glad to hear from them during the discussion at some time. It has been my understanding they have received it.

Mr. BYRNS of Tennessee. I will state, since the gentleman has referred to me, that I know of a number of bureaus and divisions in some of the departments—one I have in mind particularly, in the Department of the Treasury, where two, the chief and the assistant chief, were given the maximum salaries and not a single clerk in the bureau given a single cent of increase.

Mr. BLACK of Texas. Does the gentleman mean to say that they do not get the basic salary plus the \$240, commonly referred to as the bonus?

Mr. BYRNS of Tennessee. Oh, yes; they got the bonus.

Mr. BLACK of Texas. And the pay of the grade in which they are classified.

Mr. BYRNS of Tennessee. I do not know about that; they are put in a different class. I do know they were not given any increase while the chief and the assistant chief were given the maximum.

Mr. BLANTON. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. BLANTON. The gentleman mentions some amendments which he offered and which the House adopted. I want to say that some of the most salutary amendments that the House has passed have been offered by my colleague from Texas, and when he works on a proposition and gets the House to adopt his view and the bill goes to another body, and that body without any consideration at all sets it aside, I am glad that gentleman is letting the country know about it.

Mr. BLACK of Texas. I think a real mistake was made by the Senate when they did not accept and adopt my amendments.

Mr. BLANTON. Another body did make a mistake when they set that aside.

Mr. BLACK of Texas. I think so, and in order to change it we will have to amend the law. I again say it is not my purpose to defend an excessive increase in salary which any bureau chief may have received. But we might as well understand one time as another that the main fault is with the law.

I heard a song not long ago running something like this:

Give a man a boat, he will sail;  
Give a man a horse, he will ride.

Quite so.

Also it may be said, "Give these bureau chiefs high-salary scales and they will use them."

Gentlemen need not think they will cure that condition by heaping abuse on the Bureau of Efficiency. Whatever remedy is needed will have to come through amending the law along the lines which I sought to amend it when it was before the House in 1923.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

#### CIVIL SERVICE COMMISSION

Salaries: For three commissioners and other personal services in the District of Columbia in accordance with the classification act of 1923, \$470,000.

Mr. WOODRUM. Mr. Chairman, I move to strike out the last word. I want to consume two or three minutes of time, and I do it reluctantly because I know the distinguished chairman of the committee is chafing under the time that has been so far consumed in the consideration of the bill, but I think that what I am to say is apropos at this point. It is under the Civil Service Commission. About three or four hundred thousand employees of the Government have been very

much interested in a liberalization of the Federal retirement law. In the beginning of the sixty-eighth session of Congress the Civil Service Committee, of which I am a member, under the very able and efficient leadership of the gentleman from New Jersey [Mr. LEHLBACH], started a series of hearings on a retirement bill. We got the benefit of very elaborate and comprehensive reports from actuaries, and heard many witnesses, and reported out March 24 the bill H. R. 8202, the purpose of which is to liberalize the Federal retirement act. Right away our committee, through its chairman—and I will say that the committee rendered a unanimous report on the bill—went to the Rules Committee of this House and asked to be permitted to bring the legislation on the floor of the House.

At that time the attention of the House was being directed to the McNary-Haugen bill. A jam of legislation was looming on the horizon, and we could not get a hearing. The Civil Service Committee has been standing on the doorstep of the Rules Committee since the bill was reported out 10 months ago asking for its consideration.

Now, Mr. Chairman, on the 26th of January the distinguished Secretary of the Interior wrote a letter to the chairman of the Senate Committee on Civil Service in which he made this statement—

I am authorized to state that the members of the President's Cabinet favor an increase in annuities for the Government employees and hope that Congress at the present session will come to an early decision on the retired Federal salaries by increasing their annuities under the present law.

Mr. Chairman, I agree heartily in that opinion of the President's Cabinet and which, of course, has the sanction of the President. The letter of the Secretary of the Interior was speaking for the Cabinet of President Coolidge.

Again, on January 28 the Secretary of Labor wrote a letter to the Secretary of the Interior and concluded it in this way:

Now my dear Mr. Secretary, don't you think, in all fairness, we should combine to insist that Congress raise the retirement amount so that the Government will be able to pay these retired employees out of the employees' own money an amount at least equal in purchasing power to the sums named in the bill?

The situation is a peculiar one. The bill was reported to the House 10 months ago. The Committee on Civil Service unanimously reported it. Every man on the committee favored it and wants it enacted into law. The distinguished chairman of the committee has done everything here to get it before the House. In a few weeks we will adjourn and the legislation will not be enacted into law.

These increased annuities are to be paid out of their own money. The employees have made a fund of over \$35,000,000 plus, and Congress is not called upon to appropriate a nickel. They simply ask you that they may take it out of their own money. The President is for it, the Cabinet is for it, and it is being opposed by no one. Yet, we can not get it out on the floor of the House. Now it looks to me like the country and these employees are being led to believe that the administration wants the legislation passed, but Congress will not do it. Gentlemen, the responsibility might as well go where it belongs. Whenever the Rules Committee of the House, composed of eight Republicans and four Democrats, under the leadership of the gentleman from New York, will allow us to come on the floor with this bill and give you gentlemen an opportunity to pass upon it, I predict there will be no substantial objection to it. I believe it can be passed in an afternoon, and if the President and his Cabinet are honestly, sincerely in favor of liberalizing the retirement law so that this vast army of workers can be taken care of out of their own funds, then I ask them to knock at the doors of the Rules Committee and speak the magic word that will give us an opportunity to bring the legislation here for your consideration. The country might as well know that it is within the power of administration leaders, and they alone, to give the House a chance to do the thing that the President's Cabinet so eloquently proclaims is needed.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

The Clerk read as follows:

Except for one person detailed for part-time duty in the district office at New York City, no details from any executive department or independent establishment in the District of Columbia or elsewhere to the commission's central office in Washington or to any of its district offices shall be made during the fiscal year ending June 30, 1926; but this shall not affect the making of details for service as members of boards of examiners outside the immediate offices of the district secre-



taries. The Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees herein provided for to or from its office or field force.

Mr. LEHLBACH. Mr. Chairman, I make the point of order against the paragraph. It is clearly legislation.

The CHAIRMAN. Does the gentleman from Indiana desire to be heard?

Mr. WOOD. Mr. Chairman, I do not think the point of order is well taken. We are making a direct appropriation instead of an indirect appropriation. We have the right primarily to make the appropriation. It is merely a matter of whether it shall be made for services outside or inside the District of Columbia. It is a matter of expediency, a matter of saving money to the Treasury.

The CHAIRMAN. What does the gentleman's point of order cover?

Mr. LEHLBACH. Mr. Chairman, in line 11, beginning with the words "except for one person detailed," and so forth, down to and including the words "field force," in line 22. This is clearly legislation. It prohibits the transfer or detail from any departments or independent establishments of the Government of employees to perform services under the direction of the Civil Service Commission.

Mr. WOOD. Mr. Chairman, this same provision has been carried in the last three appropriation bills, as I recall.

Mr. LEHLBACH. The paragraph went out on a point of order last year.

Mr. WOOD. Oh, I beg the gentleman's pardon, it did not.

Mr. LEHLBACH. I think I made the point of order and it was conceded, and I think it went out. It may have been carried in the bill, because it was restored in the Senate.

Mr. BLANTON. Mr. Chairman, the gentleman from New Jersey has been regular all of the time and the gentleman from Indiana ought not to read him out of the party.

Mr. LEHLBACH. If I may reserve my objection for a moment, I shall tell the gentleman from Indiana why I press the point of order. I understand that the Civil Service Commission has received ample funds to proceed. It does not need these assignments from other quarters, and as far as the practice is concerned, this prohibition is not necessary; but if this is carried in the bill, and the bill pending in the Senate should become a law which abolishes the Personnel Classification Board and vests its functions in the Civil Service Commission, then the Civil Service Commission will have to function as the Personnel Classification Board is now functioning, by having details made to it, and this might prevent it. It is to prevent a deadlock, in the case of pending legislation being adopted.

Mr. WOOD. The gentleman is trying to anticipate legislation.

Mr. LEHLBACH. I am trying to prevent improper legislation, that might cause trouble in the future, particularly as that legislation is not necessary, as the Civil Service Commission does not think of asking for details, except it becomes necessary when the situation changes, if the bill I have referred to is passed.

Mr. WOOD. Mr. Chairman, I call the attention of the Chair to the fact that this is a restriction upon details. They could detail, and it used to be the practice, and they did detail from half a dozen other governmental agencies for the service that they are now asking only one from. It is a restriction upon legislation and consequently a restriction upon expenditure.

Mr. LEHLBACH. It is not a restriction upon this appropriation.

Mr. WOOD. It does not have to be a restriction upon this appropriation. If it is a restriction and results in a limitation of expenditures, it comes within the rule.

The CHAIRMAN. The Chair is ready to rule. This paragraph is not in the form of a limitation, and does not seem to the Chair to contain the substance of a strict limitation on an appropriation carried in the bill. It does not purport to retrench expenditures or to reduce the amount carried in the bill, so that it is not in order under the Holman rule. The whole force of the paragraph, if it has any, is to affect the law as it now stands. It seems to be clear that it is legislation, and, therefore, the Chair sustains the point of order.

The Clerk read as follows:

For employment of expert examiners not in the Federal service to prepare questions and rate papers in examinations on special subjects for which examiners within the service are not available, \$2,000.

Mr. TAYLOR of West Virginia. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to speak for five minutes out of order.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to speak for five minutes out of order. Is there objection? [After a pause.] The Chair hears none.

Mr. TAYLOR of West Virginia. Mr. Chairman, some very interesting figures have recently been brought to light as a result of the election held on November 4.

As a West Virginian I am proud to say that at the recent election West Virginia cast 72 per cent of its eligible vote—a percentage greater than that of any other State in the Union—and we can no longer be looked upon as being a "slacker State" in the exercise of the right of franchise.

Mr. WOOD. Mr. Chairman, I wish to correct the gentleman right there. The State of Indiana cast more than 82 per cent.

Mr. TAYLOR of West Virginia. I am going to get to Indiana; and I want to say for the benefit of the gentleman from Indiana that I accepted these figures from the Associated Press at that time, which gave West Virginia as having 72 per cent and Indiana as having 71½ per cent. This is the first intimation I have had that West Virginia does not claim first honors in the aggregate of eligible votes cast in the recent election, and unless some other figures are brought forward to my attention—not doubting, of course, the gentleman from Indiana—I shall still claim West Virginia as coming first in the total eligible votes cast at the recent election.

These remarks are in favor of West Virginia and not directed against any other State where the vote was not so great and while comparisons are said to be odious, in justice to the great State that I have the honor to represent in part, a few comparisons should be made that will more clearly set forth the great achievement of West Virginia.

Ranking next to West Virginia is the State of Indiana, where a total of 71½ per cent of her eligible vote was cast, while Wyoming was next with 69 per cent.

Turning our gaze to the eastward we find that Pennsylvania cast 42 per cent of its eligible vote, New York 50 per cent, and New Jersey 57 per cent. Looking southward we find that South Carolina cast only 6 per cent of its eligible vote, Georgia and Mississippi ranking next with 12 per cent, and Louisiana having a total of 13 per cent.

Mr. BYRNES of South Carolina. If the gentleman will permit, the votes cast in South Carolina were wisely cast, and I do not know I can say the same of all the votes cast in West Virginia—

Mr. TAYLOR of West Virginia. It is only fair, however, to state that in these Southern States the political contests are decided in the primary elections of spring or summer and it is reasonable to suppose that at these elections a much greater percentage of the eligible vote is cast.

The heaviest general voting took place in the West. North Central States of Minnesota, Iowa, Missouri, North and South Dakota, Nebraska, and Kansas maintained a general average of 62 per cent.

Mr. COLE of Iowa. Has the gentleman any figures as to the cities?

Mr. TAYLOR of West Virginia. No, sir; I have not.

Mr. COLE of Iowa. I will call the attention of my friend that my home city of Cedar Rapids, Iowa, cast 98½ per cent of the total eligible vote.

Mr. TAYLOR of West Virginia. That is a very splendid showing, and I am very glad to hear it.

The heavy voting in West Virginia is particularly gratifying in that it shows an awakened public conscience and a desire on the part of mountaineers to participate in the conduct of their Government. This happy condition was largely brought about by the splendid daily and weekly newspapers of the State which entered upon a campaign of education in an effort to induce citizens to exercise the right of suffrage and the further fact that in the main splendid tickets were in the field.

It is with a sense of pride and pleasure that I call to the attention of the House and to the country at large the achievement of West Virginia, first among many other things, as also first in the percentage of eligible votes cast at a general election. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Employees' compensation fund: For the payment of compensation provided by "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, including medical, surgical, and hospital services, and supplies provided by section 9, and the transportation and burial expenses provided by sections 9 and 11 and advancement of costs for the enforcement of recoveries



provided in sections 26 and 27 where necessary, accruing during the fiscal year 1926 or in prior fiscal years, \$2,150,000.

Mr. ALLGOOD. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman why the employees' compensation fund has been reduced from \$2,350,000 to \$2,150,000?

Mr. WOOD. I will state to the gentleman from Alabama that I asked that question myself of the man in charge, and this reduction is due to the fact that there are unexpended balances, so that they have as much for their use for this activity as they had before. I asked the question as to why this was, and the answer was:

In 1925 we estimated it would be \$2,475,000. We estimate that we will spend pretty nearly that much in 1926. We are only asking for \$2,150,000, but we estimate we are going to have a balance of \$200,000 at the end of 1925 which we can use in 1926.

Mr. ALLGOOD. Does the gentleman refer to page 54 of the report?

Mr. WOOD. Page 59 of the hearings.

Mr. ALLGOOD. On page 54, Mr. Verrill, a member of this commission, states:

I have no general statement. The work is running about the same as it has in the past, except that we have noted for the first five months of the fiscal year an increase in injuries and claims. I can hardly say it was an expected increase. It has appeared in every month of the present fiscal year.

#### INCREASE IN INJURIES

The increase in injuries has been about 18 per cent in those five months as compared with the corresponding five months of last year. The increase in the number of claims has been about 8½ per cent.

Mr. WOOD. You can not depend on the number of claimants as a criterion of the amount of expenditure. In some years there may be few claims in large amounts and in another year there may be a great many more claims, but they may not involve as much money as do a few claims.

Mr. ALLGOOD. If you will look at page 62 of the hearings you will find the statement that out of \$,479 claims submitted to the commission last year 908 were rejected.

Again, if you will refer to page 61, you will find the statement of Doctor Ernst to the effect that the burden of proof rests upon the claimant. When a Government employee is injured or stricken with disease while in line of duty and while in a weakened and sick condition and while he is not able to work to keep the wolf from the door, it does not seem charitable or just to say to him that the "burden of proof rests on him," which expression was made by Doctor Ernst on page 61 of the hearings before the committee. I favor reducing expenditures; but if you are going to reduce them, I am not in favor of reducing them by making the sick people and the people who have been injured while in the service of this Government of ours in civil life pay for it. I do not understand that that is true economy. It is as the gentleman from Tennessee [Mr. BROWNING] said yesterday, in addressing the House, when he referred to the Veterans' Bureau, where the Veterans' Bureau had spent as much as \$10,000 in rehabilitating tuberculous patients and then left them without any compensation at all, out in the cold, cruel world, and in a short time they were down on their backs again, possibly in worse condition than when they first went into the hospital; whereas if the Government had given them, as the gentleman from Tennessee suggested, 50 per cent of compensation, they could have buffeted the waves and they would not again place the Government to heavy hospitalization expenses. The Employers' Compensation Commission turned down 908 cases last year, and these sick and injured people evidently believed their claims were just. I believe every Member of this House had rather see them given the benefit of every doubt rather than have the commission report a surplus of \$200,000. Where it is a question of cold, sordid dollars as against rehabilitation and compensation to human beings I do not think all the burden of proof should rest upon poor, sick, weakened humanity. I understand this committee states that those in charge of this bureau did not ask for the same appropriation that they had last year. Yet their report shows that 10 per cent or 12½ per cent of those who applied for compensation failed to receive it. Mighty efforts have been put forth for increased pay of postal employees or other Government servants, and some relief along this line has been accomplished. Last year I spoke in behalf of increased appropriations for compensation in the Veterans' Bureau for those brave men whose physical powers were torn and shattered in defense of our flag, and I am glad to see that this bill has increased this item from eighty-three

millions to one hundred twenty-seven millions. Those whose lives are broken in Government service during times of peace should also receive better treatment.

The CHAIRMAN. The time of the gentleman from Alabama has expired. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Contingent expenses: For contingent and miscellaneous expenses of the offices at Washington, D. C., including purchase of blank books, maps, stationery, file cases, towels, ice, brooms, soap, freight and express charges; telegraph and telephone service; and all other miscellaneous items and necessary expenses not included in the foregoing, and necessary to collect moneys and loans due the corporation, \$5,500.

Mr. DEAL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last word.

Mr. DEAL. Mr. Chairman, I desire to call attention to another bureau or commission of the Government, the Housing Corporation. This is a joint-stock company, I believe, the stock of which has been subscribed to and paid for by the Federal Government. Its purposes are threefold: First, it is in the real estate business; secondly, in the hotel business; and, thirdly, in the transportation business.

It is to the third item that I desire to call attention. This transportation consists in operating ferries within my own district, connecting the cities of Norfolk and Portsmouth, Va. It is the only means of ingress and egress from our city to the mainland.

We are surrounded by water in every direction. I said that the only possible means of outlet was this ferry, but there is one other outlet across Hampton Roads, a distance of 15 miles by ferry. However, this is our principal outlet and it is the only physical connection for vehicular and passenger traffic between the cities of Norfolk and Portsmouth.

The Government commandeered this property, which is owned by the city of Portsmouth and the county of Norfolk, during the war and proceeded to make improvements, at an expenditure of \$1,300,000. I think those are about the figures. These figures were swelled by mistakes made in the engineering department, which resulted in the building of a ferry slip so narrow that the boats could not enter, and so they had to remove the slip and rebuild it, thus increasing the cost of the improvements and betterments.

The Government is still operating the ferry, although it is some five years or more since the war, according to the date at which we place the closing of the war, and they have increased the ferry charges to our people for passenger traffic 100 per cent, and for vehicular traffic about 300 per cent, thus placing the burden of paying for the mistakes of the Government during the war entirely upon the people of my district when it should be distributed among the entire people of the United States.

I felt it was time that we should know the facts in this case; that it should be called to the attention of the House, and that some steps should be taken when the next appropriation bill has been brought in to see that the activities of this business corporation shall be closed out.

Mr. BLANTON. Will the gentleman yield?

Mr. DEAL. Certainly.

Mr. BLANTON. The distinguished gentleman from Indiana [Mr. WOOD], who is controlling this bill, and who is in control of the Congress and the Government and the United States just now, says that he is going to keep this corporation in existence; that he is going to keep on furnishing these facilities to the people who enjoy them, and that it is a part of the governmental functions. It is a new policy, and it is a new doctrine for him to preach, but he is preaching it, and the afternoon papers have about a column or a column and a half on the front page—

Mr. DEAL. I can not yield any further. I am sorry to learn that the gentleman from Indiana insists on continuing these activities, because if that is true then we are due to pay a 100 per cent increase in our passenger and vehicular service until eternity, but I hope the gentleman really does not intend to do that.

Mr. WOOD. Will the gentleman yield?

Mr. DEAL. Yes.

Mr. WOOD. The gentleman from Texas is inclined to be facetious. There was nothing in my remarks yesterday that would warrant the statement he has now made. The only part of this housing corporation that I said I felt should be continued for the time being was the Government hotels.



Mr. BLANTON. That was what I was referring to.

Mr. WOOD. And that we should continue them only until such time as the insatiable maws of the profiteers here could be satisfied and some provision made to take care of these girls. In so far as the transportation part of this housing corporation is concerned, that is rapidly being disposed of, the one now being talked about being one of the few that has resulted in being operated at a profit.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. DEAL. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. WOOD. I will state that negotiations are now going on, we are informed by those who have charge of the housing corporation, for the disposition of this very property.

Mr. DEAL. I am much obliged to the gentleman from Indiana for that information, but I would like to say for his information that I have been in contact or in touch with this department for the past four years, and they are always getting ready to clean up, but they have not cleaned up. They have taken no decided steps, so far as I have been able to determine, to correct this condition and cease the operation of these ferries.

Now, the president of the housing corporation points with a great deal of pride to the fact that these ferries represent the one activity in which he has engaged that is profitable. Of course it is profitable. His figures show that during the past five years these ferries have made for the Government \$534,000, a gradually increasing net revenue each year. During the past year, 1924, the net revenues were \$184,000. This he points to as a reason for the continued operation of these ferries. I do not intend to say that he has said that is the reason, but that is one of the things that he prides himself upon.

Now, what we want to do is to get rid of paying that \$184,000 a year for the privilege of having the Government operate this business. Prior to the war these ferries were operated not only to Norfolk and Portsmouth, and Portsmouth to Berkley, but from Norfolk to Portsmouth, Portsmouth to Berkley, and Berkley to Norfolk, with two additional ferryboats that are not operated now, the two having been taken off, and our connection between Berkley and Norfolk has ceased to exist. Then we charged only 2½ cents for passenger ferriage and 10 cents for a vehicle, while to-day we are paying 5 cents for passengers and from 25 to 35 cents, or about 30 cents for a vehicle.

Under these conditions, of course, the housing corporation can make money. We of Norfolk are compelled to accept this service. It is absolutely the only means by which we can get out of our city with vehicles, and if they charged us 10 cents fare for a passenger and \$1 for a vehicle we would have to pay it, and under those circumstances the president of the housing corporation could just as easily show a profit of \$1,000,000 as he shows a profit of \$184,000. He also takes the position now that the Government could capitalize the value of its equity in these ferries on the basis of the revenue they yield, and under those conditions, when they are turned back, he could require the city of Portsmouth and the county of Norfolk to pay him something like \$5,000,000 for a property on which they have spent \$1,300,000, at least one-third of which was thrown away by the mistakes of their engineers, and these improvements were placed there at the peak of high prices.

It is against these conditions that I protest. I am also opposed, Mr. Chairman, to the operation, notwithstanding the opinion of our good friend, the gentleman from Indiana, of the hotel business. It does not seem to me that the Government ought to be operating hotels for the convenience of a part of our citizens. These hotels are operated practically at cost. I believe Mr. Watson, the president of the housing corporation, claims that he earned \$20,000, and finding he was earning too much money he remitted in rentals or charges to the patrons of these hotels \$2.50 a month.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that

that committee having had under consideration the bill H. R. 11503, the independent offices appropriation bill, had come to no resolution thereon.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 25. An act providing for a per capita payment of \$50 to each enrolled member of the Chippewa Tribe, of Minnesota, from the funds standing to their credit in the Treasury of the United States;

H. R. 7064. An act to encourage commercial aviation and to authorize the Postmaster General to contract for air-mail service; and

H. R. 8308. An act authorizing the Coast and Geodetic Survey to make seismological investigations, and for other purposes.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 11956) to amend the act entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1909," approved February 9, 1909.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 1975. An act for the relief of the Commercial Union Assurance Co. (Ltd.), Federal Insurance Co., American & Foreign Marine Insurance Co., Queen Insurance Co. of America, Firemen's Fund Insurance Co., United States Lloyds, and the St. Paul Fire & Marine Insurance Co.; and

S. 2842. An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. BERGER. Mr. Speaker, I ask unanimous consent to address the House to-morrow morning for 30 minutes out of the regular order after the reading of the Journal and following the gentleman from Texas [Mr. JONES].

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to address the House to-morrow for 30 minutes after the reading of the Journal and following the gentleman from Texas [Mr. JONES]. Is there objection?

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to—Mr. CABLE, for four days, on account of business.

Mr. BLACK of New York, indefinitely, on account of death in his family.

Mr. GALLIVAN, for three days, on account of important business.

#### HOOR OF MEETING TO-MORROW

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it shall adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Ohio asks unanimous consent that when the House adjourns to-night it shall adjourn to meet to-morrow morning at 11 o'clock. Is there objection?

There was no objection.

#### ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Speaker, I also ask unanimous consent, renewing the request I made last evening, that on Wednesday, between the hours of 8 and 11 o'clock in the evening, it shall be in order to consider bills on the Private Calendar, unobjected to, beginning with the first bill. I will say for the information of gentlemen there are about one hundred and sixty-odd bills on this calendar, and there are about 35 bills which precede the star.

Mr. BLACK of Texas. Reserving the right to object, and I shall not object, because I do not want to interpose an arbitrary objection, but it seems to me a fairer way to do it would be to take up the calendar where we left off and then go back.

Mr. LONGWORTH. There are some bills I know that have been objected to—something like the first 35. I hope we will be enabled to complete the calendar before the session is over.

Mr. BLACK of Texas. I think the gentleman's statement is correct, and I shall not interpose any arbitrary objection; but I think the fairer thing to do is to begin where we left off and then go back.



Mr. LONGWORTH. I made the request in this form after a conference with the minority leader, who thought it would be wise to try to complete the whole calendar.

Mr. BLACK of Texas. But that does not give the other bills a show. We may not get clear through the calendar, and the bills at the foot of the calendar will not have any chance at all.

Mr. LONGWORTH. My only desire is to accommodate the membership of the House.

Mr. GARRETT of Tennessee. I think we might adopt the suggestion of the gentleman.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that when the calendar is taken up we shall begin at the consideration of the first starred bill, No. 298, on the calendar.

The SPEAKER. The gentleman from Ohio asks unanimous consent that there shall be a session next Wednesday evening, between the hours of 8 and 11 o'clock for the consideration of unobjected bills on the calendar, beginning at Calendar No. 298. Is there objection?

Mr. BARBOUR. Reserving the right to object, can the gentleman give us any assurance when we will take up bills that are objected to?

Mr. LONGWORTH. I should hope that we might have consideration of the entire calendar before adjournment.

Mr. BARBOUR. At the last night session there was a certain class of bills that were objected to—no reason given, but they were all objected to.

Mr. LONGWORTH. I shall be very glad to suit the convenience of Members as to this calendar, but it must be understood that it will be at night sessions, for we do not have time in the daytime.

Mr. CHINDBLOM. Will the gentleman yield for a suggestion? It is not at all likely that we are going to get through the calendar twice. I have no bill on the calendar; but why not follow the suggestion made by the gentleman from Texas, to begin where we left off? That seems to be eminently fair and will give an opportunity from now on to go through the entire calendar once.

Mr. LONGWORTH. I think I had better leave the request as I have made it.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### PROTECTION FROM FOREST FIRES

Mr. MORROW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the protection of forests from fires.

The SPEAKER. The gentleman from New Mexico asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MORROW. Mr. Speaker, the protection of our forests is one of the vital duties of the Nation. The Forest Service of the United States, under the guidance of the Chief Forester, has built up a wonderful system of fire control and protection. The great bulk of our forest fires are due to carelessness and to human agencies, campers and tourists, who are afforded the opportunity of the fine shade and pleasure of the forest and then fail to put out their camp fires. The result is that each year there is a loss of millions of dollars in timber and the further loss of the protection that the timber affords in preserving the moisture for the summer supply of water for irrigation and for holding the snows and rain.

The American custom of cigarette smoking also contributes its disastrous results, through personal carelessness, to the loss of the Nation. This habit of careless smoking during droughty periods or in the autumn, when the grass and vegetation is dry, and by the throwing of a lighted match or a burning cigarette into the dry vegetation, has caused the loss of much timber and other vegetation not only of great value but also very necessary for the protection of the arid part of the United States. And the same is not entirely confined to the arid part of the country. During the period of dry vegetation the loss by these careless habits affects every part of the country.

The district forester in New Mexico reports the area burned in 1924 to be double that burned in 1923, and reports 800 forest fires in the national forests of New Mexico and Arizona. He reports that under their excellent system of alarms and supervision that only one fire in ten exceeded 10 acres in size. The forester further says that the fire-control organization functioned with the success of a well-organized body during the period of danger; of the total 808 forest fires which occurred within the 14 national forests in Arizona and New Mexico,

60 per cent were reached and extinguished before they became as large as one-fourth of an acre and 10 acres.

The total area burned over in these States—New Mexico and Arizona—amounted to 11,096 acres; value of the timber upon this at the usual valuation and you have the loss of thousands of dollars to the Government, besides the loss in these States of this vast timber area for reservoir purposes in conserving the snow and rain for the next several generations unless reforested. This the Government is not doing as promptly and as systematically as the needs of the Nation require.

When the Nation can realize the vastness of the forest areas in these two States, in their several reserves, the importance of fire protection can be seen. In New Mexico the area covered by national forests is 9,500,000 acres, containing 15,000,000,000 feet of timber. In Arizona the area covered by national forests is 11,204,304 acres.

Colorado seems to be one of the States that has gotten its fire system, for the protection of its forests and State lands, to such a system that the losses by fire for the past seven years have been at a minimum. It might be well for the other States in the mountain districts to profit by Colorado's system of forest-fire control. In 1922 Colorado had a total of 158 fires; in 1923 it had 59 fires; in 1924, 207 fires. Most of this land burned over was in small tracts, the great bulk of it less than 10 acres. The classification of the Colorado forest fires follows:

#### Forest fires in Colorado in 1924

Caused by—	
Lightning	33
Railroads	31
Campers	47
Smokers	66
Brush burning	9
Incendary	2
Lumbering	3
Miscellaneous	16

The timbered land burned over in 1924 in Colorado was 1,671 acres; nontimber land 326 acres. Total damage was \$12,457. The private lands burned over in Colorado in 1924 were: Timber land, 478 acres; nontimber lands, 487 acres; total 965 acres; damage to private land \$11,872. The cost of fighting fires in Colorado during the same year was \$12,749. This State made an excellent showing in 1924.

The State of Oregon, containing one-fifth of all the standing timber in the Nation, lost by forest fires in 1910 a total of six lives and timber valued at two and one-fourth million dollars, and one-fourth million dollars to other property. In 1912 to 1924, inclusive, the loss of standing timber has been 1,393,531,000 board feet, valued at \$1,798,206. Other losses by fire in that State are placed at \$2,000,000. Oregon now seems to be cooperating with the National Government in the protection of its timber.

In California, for 10 years ending in 1920, an area of 415,000 acres was burned over by forest fires caused by lightning alone.

The 1922 table of forest fires for the following States is:

	Acres
Washington	451,534
Oregon	208,958
Colorado	1,809
New Mexico	10,034
Arizona	2,735
Utah	327

In quoting from Chief Forester Greeley's report under date of June 30, 1923, we find this:

The importance of such research is realized when we recall that our annual forest fire loss amounts to over \$16,000,000; that we have 81,000,000 acres of denuded and nonrestocking forest lands, a large part of which will require planting; that by managing our forests intelligently we can increase their growth of wood four and one-half times; and that the primary industries which depend upon forests for their raw material have an annual product of \$2,500,000,000.

It is important to realize that the United States contains 469,000,000 acres of forest lands with all sorts of timber cut over and burned; of this the great bulk should always be forest land.

The great States of Michigan and Wisconsin, also Minnesota, once had one-eighth of the entire forests of the United States, or 112,000,000 acres. Over 20,000,000 acres in the Lake States, suitable for the growing of timber, are now fire-damaged regions, devastated plains, and swamps.

In dealing with the State of Minnesota and quoting from the report of the chief forester, he says, the lack of reforestation in this State must be attributed to the fact that fire protection is still inadequately provided for. Whenever ample funds are furnished by the State to make possible a more complete protection system the need for artificial reforestation will be



greatly reduced. Natural seeding will follow in most cases, if fires are kept out. Probably 80 per cent of the reforestation problem is keeping fires out of the woods. People of Minnesota are still concerned with the utilization of the present timber crop and are paying little attention to the growing of a new one. And yet, of all our great resources, timber is the most easily renewable.

The classification of forest fires in Minnesota is as follows:

For the year 1921:

Total number of fires	888
Area burned over—acres	112,000
Fire damage:	
Mature timber	\$49,259.60
Immature timber	60,499.86
Other damages	148,964.20
Total	258,723.66

For the year 1922:

Total number of fires	1,255
Area burned over—	
Highland—acres	244,426
Peat land—do	265,643
Total	510,069

Fire damage:	
Mature timber	\$328,709.00
Immature timber	480,730.00
Other damage	322,837.00
Total	1,132,276.00

For the year 1923:

Total number of fires	1,600
Total area burned over—	
Peat land—acres	109,842
Highland—do	381,000
Total	490,842

Fire damage:	
Mature timber	\$1,175,137.25
Immature timber	744,477.69
Other damage	216,035.66
Total	2,135,650.60

The Government report says:

Of the total of nearly 1,500,000 acres cut over in the pine region of California, 564,000 acres are estimated to be in a nonproductive condition, mainly because of fire. These 564,000 acres are either completely denuded of tree growth, or are depleted to the extent that less than a third of the stand has survived. Table 18 shows by classes of owners the amount of cut-over land and the amount of nonproductive land. The figures are approximate, being based on extensive field examination of the larger areas and representative samples of the smaller.

TABLE 18.—Proportion of denuded areas on cut-over land in private ownership to 1922

Class of ownership	Number	Total cut-over land	Area denuded	
			Acres	Per cent
Large operators	24	636,430	271,970	34
Small operators	270	100,000	20,000	20
Large nonoperators	34	121,050	46,550	38
Small nonoperators	76	75,000	25,000	33
Water and powers companies	5	34,800	8,900	26
Graziers	2	31,000	12,000	39
Railroads	2	94,000	32,300	34
Pulp and paper companies	1	14,300	4,300	30
Mining companies	9	6,470	2,870	44
Others	2,962	355,950	140,110	39
Total	3,405	1,469,000	564,000	38.4

The same bulletin, No. 1294, United States Department of Agriculture, says:

Fires on cut-over lands destroy the great bulk of advance reproduction, even though seed trees may survive. Where minimum damage occurs, however, as is the case with uncontrolled spring or fall slash fires, the slash itself is incompletely consumed, and the dead reproduction adds to the fuel for another fire.

The bulletin further adds:

One major result of past fires has been the stripping of the merchantable timber from nearly 1 acre out of every 7 of timber-producing land. At a very conservative estimate this represents a loss of 36,000,000,000 board feet of timber, or at the present rate of cutting in the pine region, enough to run all of the mills in the region for nearly half a century.

In a comprehensive survey of the pine region of California, perhaps the most striking feature is the vast area of land within the timber belt proper that brush occupies. Disregarding entirely the chaparral,

still no careful observer can fail to be impressed with the unproductiveness of what was once timber-producing land. Out of a total area of 13,625,000 acres in 10 of the important national forests in the central and northern parts of California, there are estimated to be 1,862,000 acres of brush fields. This total area, comprising the Sierra Nevada, the coast ranges north of Clear Lake, and the cross ranges of northern California, embraces by far the largest part of the California pine region. Table 19 shows both the total extent and the relative importance of the brush fields in the different parts of this region.

TABLE 19.—Brush-field areas in 10 of the national forests in California

National forest	Total area, acres	Area of brush fields	
		Acres	Per cent
Klamath	1,734,655	254,550	14.7
Trinity	1,724,125	246,200	14.3
Shasta	1,630,000	313,000	19.5
California	1,062,572	201,000	18.9
Lassen	1,306,287	154,490	11.8
Plumas	1,458,140	170,000	11.7
Tahoe	1,106,137	95,000	8.6
Eldorado	835,800	58,200	7.0
Stanislaus	1,104,412	179,230	16.2
Sierra	1,662,560	185,000	11.1
Total	13,624,698	1,861,670	13.7

#### DAMAGE TO WATERSHEDS

In some of the older countries, where the effect of destructive agencies is most thoroughly understood, the secondary or indirect influence of the forest are given as much consideration as its value in producing a wood crop.

In California, Munn's investigations have shown clearly the influence of fire, not only on the site itself but on erosion and run-off. Fires seriously reduce the mechanical interference with erosion afforded by the forest or brush cover and also destroy the fertile vegetable mold or humus of the top layers of soil. This reduction is in itself a lowering of site quality, since the nitrogenous material derived from humus is essential for a vigorous growth of forests. It also adversely affects the moisture-holding capacity of the soil, so that less water is held per cubic foot of soil after the fire than before. Experiments over a period of years show that run-off is more rapid on burned than on unburned areas and that erosion is more likely to start and to reach more disastrous proportions, and that the flow during the dry period is much less in streams heading in burned watersheds than in those in the forested areas.

If so far as a single fire is concerned, even a very intense or destructive one, the period of heavy erosion does not continue indefinitely; but particularly on brush fields and cut-over areas, where fires are ordinarily severe, site deterioration and erosion after fires have been shown to follow most readily. These secondary forms of damage—site deterioration, erosion, and changes in stream flow—have proved to be very difficult to evaluate, since their effects are not so immediate or so readily discernible as direct damage to virgin timber.

Serious as are the results of fire and subsequent erosion on the forested lands of the mountains, it is at least an open question whether the tributary valley lands are not in the long run affected equally. As a change from extensive grain growing to intensive agriculture develops further in the great California valleys, the importance of an adequate and sustained supply of water for irrigation becomes more and more imperative.

In fire protection the Air Service of the Government is bound to become an important factor for the future, and this should be considered in our efforts in developing our aerial service—how invaluable this might become in forest protection of the future!

Forest fires covered a total of 56,438,207 acres of forest land in 45 States and caused damages amounting to \$85,715,747 from 1916 to 1920, inclusive.

It naturally follows from the data that I have attempted to give you that one of the great agencies in the destruction of our forests is the careless and uncontrolled fires that are permitted in and about forest land; the loss to the Nation is so great that it is staggering to our intelligence when we stop to figure the same out and then be compelled to admit that, outside of natural causes, the greater part of these fires can be prevented if our American traveler would but use care and judgment.

This Government can assist and render efficient encouragement to the Forest Service, that certainly is functioning in the



western part of the United States in a manner worthy of especial notice, in protecting our great vital resource, the timber of the Nation.

#### ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Saturday, January 31, 1925, at 11 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

829. A letter from the Attorney General and the Secretaries of the Interior and Labor, transmitting report of a selection of a site at Alderson, W. Va., for the establishment of a Federal industrial institution for women; to the Committee on the Judiciary.

830. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the fiscal year ending June 30, 1924, \$7,700, a supplemental estimate of appropriation for the fiscal year ending June 30, 1925, \$1,335,000, for the Department of Agriculture, amounting in all to \$1,342,700; also drafts of proposed legislation affecting existing appropriations (H. Doc. No. 592); to the Committee on Appropriations and ordered to be printed.

831. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year ending June 30, 1925, for the War Department, amounting to \$43,552.43; also drafts of proposed legislation affecting existing appropriations (H. Doc. No. 593); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 11703. A bill granting the consent of Congress to G. B. Deane, of St. Charles, Ark., to construct, maintain, and operate a bridge across the White River, at or near the city of St. Charles, in the county of Arkansas, in the State of Arkansas; with amendments (Rept. No. 1327). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 11706. A bill to authorize the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at the Newport-Priest River Road crossing, Idaho; without amendment (Rept. No. 1328). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 11255. A bill granting the consent of Congress to the Kanawha Falls Bridge Co. (Inc.) to construct a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va.; with an amendment (Rept. No. 1329). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 11367. A bill granting the consent of Congress to the county of Allegheny, in the Commonwealth of Pennsylvania, to construct, maintain, and operate a bridge across the Monongahela River at or near its junction with the Allegheny River in the city of Pittsburgh, in the county of Allegheny, in the Commonwealth of Pennsylvania; without amendment (Rept. No. 1330). Referred to the House Calendar.

Mr. VESTAL: Committee on Coinage, Weights, and Measures. S. 3895. An act to authorize the coinage of silver 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the Battle of Bennington and the Independence of Vermont; without amendment (Rept. No. 1342). Referred to the House Calendar.

Mr. WRIGHT: Committee on Military Affairs. H. R. 204. A bill to authorize the Secretary of War to reappoint and immediately discharge or retire certain warrant officers of the Army mine-planter service; with an amendment (Rept. No. 1343). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 11923. A bill to relieve persons in the military service of the United States during the war emergency period from claims for overpayment at that time not involving fraud; without amendment (Rept. No. 1344). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREE: Committee on the Merchant Marine and Fisheries. H. J. Res. 334. A joint resolution to amend section 2 of

the public resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved April 14, 1922; without amendment (Rept. No. 1345). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WURZBACH: Committee on Military Affairs. H. R. 2514. A bill for the relief of John Doyle, alias John Geary; with an amendment (Rept. No. 1331). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 9036. A bill for the relief of Henry Simons; without amendment (Rept. No. 1332). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 10537. A bill to remove the charge of desertion from the record of Benjamin S. McHenry, known as Henry Benjamin; without amendment (Rept. No. 1333). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. S. 2950. An act to define and determine the character of the service represented by the honorable discharge issued to John McNickle, of Company L, Seventh Regiment New York Volunteer Heavy Artillery, under date of September 27, 1865; without amendment (Rept. No. 1334). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 106. An act for the relief of Robert F. Hamilton; without amendment (Rept. No. 1335). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 245. An act for the relief of Henry P. Collins, alias Patrick Collins; without amendment (Rept. No. 1336). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 513. An act for the relief of Eustacio B. Davison; without amendment (Rept. No. 1337). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 1011. An act for the relief of Michael Sweeney; without amendment (Rept. No. 1338). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 1543. An act for the relief of George E. Harpham; without amendment (Rept. No. 1339). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 2035. An act for the relief of Albert O. Tucker; without amendment (Rept. No. 1340). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 3534. An act to correct the military record of Thomas C. Johnson, deceased; without amendment (Rept. No. 1341). Referred to the Committee of the Whole House.

Mr. FREDERICKS: Committee on Claims. H. R. 2979. A bill for the relief of Louie June; with an amendment (Rept. No. 1346). Referred to the Committee of the Whole House.

Mr. FREDERICKS: Committee on Claims. H. R. 4013. A bill for the relief of Rear Admiral Joseph L. Jayne, United States Navy, retired; without amendment (Rept. No. 1347). Referred to the Committee of the Whole House.

Mr. BULWINKLE: Committee on Claims. H. R. 8423. A bill for the relief of Ann Margaret Mann; without amendment (Rept. No. 1348). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. H. R. 9299. A bill for the relief of John W. King; with an amendment (Rept. No. 1349). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 11830. A bill for the relief of the Royal Holland Lloyd, a Netherlands corporation of Amsterdam, the Netherlands; without amendment (Rept. No. 1350). Referred to the Committee of the Whole House.

Mr. McREYNOLDS: Committee on Claims. S. 1664. An act for the relief of Dr. C. LeRoy Brock; with an amendment (Rept. No. 1351). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 9140. A bill for the relief of Ocean Steamship Co. (Ltd.); with an amendment (Rept. No. 1352). Referred to the Committee of the Whole House.



## CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (S. 3576) for the relief of Margarethe Murphy, and the same was referred to the Committee on Foreign Affairs.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MORIN: A bill (H. R. 12058) to authorize the appointment as a colonel on the retired list of the Army, with retired pay, of the person now holding a commission as colonel in the Officers' Reserve Corps who has served more than 45 years in the military forces of the United States and State of Pennsylvania and has had certain military service; to the Committee on Military Affairs.

By Mr. GIBSON: A bill (H. R. 12059) to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes; to the Committee on the District of Columbia.

By Mr. TAYLOR of Colorado: A bill (H. R. 12060) to establish a free guide service for the Capitol Building; to the Committee on Accounts.

By Mr. MOONEY: A bill (H. R. 12061) to authorize the sale of lighthouse property and keepers' dwellings thereon at Cleveland, Ohio, and providing more suitable quarters for the lighthouse keepers at Cleveland, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. LINEBERGER: A bill (H. R. 12062) to provide cooperation to safeguard endangered agricultural and municipal interest and to protect the forest cover on the Santa Barbara, Angeles, San Bernardino, and Cleveland National Forests from destruction by fire, and for other purposes; to the Committee on Agriculture.

By Mr. SEARS of Florida (by request): A bill (H. R. 12063) to authorize the Secretary of War to grant a perpetual easement for railroad right of way over and upon a portion of the military reservation on Anastasia Island, in the State of Florida; to the Committee on Military Affairs.

By Mr. HILL of Maryland: A bill (H. R. 12064) to recognize and reward the accomplishment of the world flyers; to the Committee on Military Affairs.

By Mr. KVALE: Memorial of the Legislature of the State of Minnesota, urging the Congress of the United States to enact legislation restoring equality to agriculture through creation of an export corporation; to the Committee on Agriculture.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of Ohio: A bill (H. R. 12065) granting an increase of pension to Susan Williams; to the Committee on Invalid Pensions.

By Mr. McSWEENEY: A bill (H. R. 12066) granting a pension to Agnes V. Kready; to the Committee on Pensions.

By Mr. MAJOR of Illinois: A bill (H. R. 12067) granting an increase of pension to Nancy H. Berry; to the Committee on Invalid Pensions.

By Mr. PERLMAN: A bill (H. R. 12068) for the relief of R. S. Howard Co.; to the Committee on War Claims.

By Mr. SEARS of Nebraska: A bill (H. R. 12069) granting an increase of pension to Lydia A. Raynor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12070) granting a pension to Louise J. Eller; to the Committee on Invalid Pensions.

By Mr. STEAGALL: A bill (H. R. 12071) permitting the sale of lot 9, 16.63 acres, in section 31, township 2 south, range 17 west, in Bay County, Fla., to P. C. Black; to the Committee on the Public Lands.

By Mr. SWOOPE: A bill (H. R. 12072) granting an increase of pension to Elizabeth Longenecker; to the Committee on Invalid Pensions.

By Mr. TEMPLE: A bill (H. R. 12073) granting a pension to Maggie E. Anderson; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 12074) granting a pension to Mary E. Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12075) granting a pension to Susan A. Drake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12076) granting a pension to Mary J. Edwards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12077) granting a pension to Clara J. Horner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12078) granting a pension to Mary Ann Sinclair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12079) granting a pension to Elizabeth Thomas; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 12080) granting a pension to Mary E. Voorheis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12081) granting an increase of pension to Sewell C. Rose; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 12082) granting an increase of pension to Martha J. McLaughlin; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3606. By the SPEAKER (by request): Petition of Woman's Republican Club (Inc.), New York City, N. Y., urging Congress to enact House bill 9225, providing punishment for sending propaganda against the Government through the mails; to the Committee on the Post Office and Post Roads.

3607. By Mr. BIXLER: Petition of citizens of North Warren, Warren County, Pa., opposing Sunday observance legislation; to the Committee on the Judiciary.

3608. Also, petition of Oil City Rotary Club, Oil City, Pa., favoring increase of appropriations to Bureau of Fisheries, Department of Commerce; to the Committee on Appropriations.

3609. By Mr. HOWARD of Nebraska: Petition of citizens of Tekamah, Nebr., opposing the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3610. By Mr. MORROW: Petition of the Chaves County (N. Mex.) Game Protective Association, in favor of the game refuge bill; to the Committee on Agriculture.

3611. By Mr. O'CONNELL of New York: Petition of the City Club of New York, favoring the passage of House bill 7014 and Senate bill 2287; to the Committee on Military Affairs.

3612. Also, petition of the Chamber of Commerce of the State of New York, favoring the passage of House bill 7014; to the Committee on Military Affairs.

3613. Also, petition of the New York Life Insurance Co. opposing the passage of House bill 11078 and Senate bill 3764, known as "the District of Columbia rent act"; to the Committee on the District of Columbia.

3614. Also, petition of the Eberhard Faber Pencil Co. of Brooklyn, N. Y., favoring the passage of House bill 9629, "reorganization bill"; to the Committee on the Civil Service.

3615. By Mr. SWING: Petition of citizens of Anaheim, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

## SENATE

SATURDAY, January 31, 1925

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father and our God, always remembering our needs and seeking our highest good, we humbly beseech of Thee to accept our thanks this morning, and grant unto us constantly a realization of Thy nearness, so that whatever we may do, or say, or think may be agreeable to Thy good pleasure. Help us in matters of deepest moment, and when perplexities multiply may we find for ourselves that Thou hast opened a pathway toward which righteousness tends and that the highest excellencies of Government shall be realized in and through us. Hear us, help us, be with us always. We ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, January 26, 1925, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM TENNESSEE

The PRESIDENT pro tempore laid before the Senate the credentials of L. D. TYSON, elected a Senator from the State of Tennessee for the term beginning on the 4th day of March, 1925, which were read and ordered to be filed, as follows: